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Crime prevention and criminal justice

United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

Report of the Secretary-General

Summary

The present report, prepared pursuant to General Assembly resolution 67/191, describes the challenges that crime creates for socioeconomic development in Africa and the activities implemented by the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders in conjunction with Member States and partner agencies. The report highlights the value of international collaboration and of emerging African perspectives in tailoring interventions and good practices to mitigate resource deficiencies and provide technical support to build the capacity to fight crime in Africa.

The report underscores the increasing concerns about poverty as a factor in criminality, and describes how this affects development and undermines investment in effective crime prevention efforts, including crucial resource mobilization by the Institute to engage in meaningful and sustainable anti-crime programme activities. It contains proposals for proactive efforts to diversify sources of funding and discusses employing traditional and non-traditional measures to underpin the ability of member States to meet financial responsibilities for crime prevention and criminal justice reforms. Proposals for strengthening the Institute following a diagnostic review of its status are also presented.

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I. Introduction

1. The present report was prepared pursuant to General Assembly resolution 67/191 and describes the crime situation in Africa, in particular the impact of high-profile criminal trends on socioeconomic development, peace and security. It addresses how a lack of resources affects the ability to meet strategic crime prevention objectives. It also highlights innovative approaches to mobilize capacity, especially cost sharing as a way to sustain service delivery. It describes the efforts of the Institute to mobilize both traditional and non-traditional sources of funding for its activities, including strengthening national and international crime prevention mechanisms. The Institute remains a focal point for professional efforts to promote active cooperation and collaboration among Governments, academics, institutions and experts in the areas of crime prevention and criminal justice.

2. The crime problem in Africa should be seen in the context of its high cost and the resulting impediments to development. A combination of factors, including lack of appropriate skills, budgetary deficiencies (on average only 13 per cent is available for security) and traditional prejudices complicate a difficult situation. While the drive against crime is gaining momentum at the global level, transnational organized crime still poses formidable difficulties and is a cause for concern given the nascent state of crime prevention structures in Africa. Crime prevention should be factored into all development efforts and into project planning generally.

3. There is growing unease in Africa about the disparities in household wealth. The richest live in opulence, while communities struggle to cope with basic needs in terms of health, food security, education and housing despite the reported growth in economic activity. These disparities can create an environment where criminality is perpetuated.

4. Demographic changes are also causing a decline in household income and high levels of unemployment, especially among young people. Lack of transparency and accountability for the funds that are remitted, especially for poverty alleviation projects, have raised concerns among donors, undermining sustained donor support and thereby causing further difficulties for communities.

II. Governance and management

A. Governing Board

5. The twelfth session of the Governing Board has been deferred to give precedence to the outstanding review of the Institute, directed by the Board in 2010. The findings of the review are expected to inform the reforms to be undertaken after deliberations by the Board.

6. The management of the Institute, together with the host country, under the guidance of the Chair of the Governing Board, had requested the Executive Secretary of the Economic Commission for Africa (ECA) to provide technical and financial assistance for the review. In March 2013, the Executive Secretary sent a consultant to carry out a diagnostic study of the Institute, prior to the fully fledged review.

7. The preliminary findings highlighted the significance of the Institute as a viable mechanism for promoting cooperation among the relevant entities to respond to the crime problem afflicting Africa. The review also indicated that a study of sister organizations should be conducted to provide a comparative analysis, focusing on shared successes and means to overcome common challenges.

8. Importantly, the study found that the Institute urgently needed to increase its income. In addition to financial contributions from member States, other sources of support were considered, including requesting the General Assembly to increase the current grant and increasing the financial support from member States of the Institute by expanding its membership from the current 29 States out of a total of 54 countries of Africa. The study recommended the immediate unfreezing of all vacant posts in order to provide adequate human resources for the Institute to execute its programmes.

9. The interest of ECA in supporting the reform of the Institute was affirmed with a recommendation that tripartite cooperation among ECA, the Institute and member States in reform efforts would help the Institute to fulfil its mandate.

10. It was further recommended that the operating instruments of the Institute should be evaluated with a view to endowing legitimacy and legal functionality on the new status that would result from the review. These instruments include the host country agreement, the statute, the financial rules and regulations and the staff rules and regulations.

11. The Government of Uganda acknowledged that the issue of financial support to the Institute was crucial in light of the substantial budget needed for crime prevention. In view of the economic challenges facing member States in Africa, which undermined their capacity to provide the necessary budgetary support for the Institute to operate satisfactorily, Uganda proposed that African countries would be served better, and their development accelerated considerably, if the African Union, ECA and the African Development Bank (AfDB), within their respective mandates, were to join efforts in an endeavour whereby the African Union would provide political guidance; ECA, technical input; and AfDB, the needed financing. Uganda further requested ECA to look into the possibility of sourcing additional financial provisions for the Institute, as well as secondment of researchers and other professionals.

B. General direction and management

12. The Institute has managed its programmes to be able to deliver its mandate and meet identified needs within its human and financial constraints. It successfully facilitated the review exercise and welcomed its recommendations, and has reaffirmed its commitment to cooperate with ECA in facilitating the implementation of proposed action.

13. Programmes have been implemented through collaboration with partner agencies, boosting the capacity of the Institute with resources provided by the partners. Efforts continued throughout the reporting period to mobilize resources from member States. The Institute is grateful to all member States that paid in full or in part their assessed contributions during the period 2012-2013.

14. However, financial difficulties have hampered the ability of the Institute to attract and retain the specialized staff it requires. The sudden departure of a staff member at the Director level illustrated the unsatisfactory conditions of service at the Institute and demonstrated a need for remedial intervention with requisite budgetary support. Efforts to develop capacity and improve staff motivation through equitable rewards and social support throughout 2012-2013 were hampered by inadequate funding. Two core staff posts, the Training Adviser and the Information/Documentation Adviser, remain frozen.

15. The Secretariat continued to accept invitations to attend conferences organized in the region by the African Union, the United Nations Office on Drugs and Crime (UNODC) and other organizations, making presentations and taking part in discussions. Through this collaboration, the Institute has enhanced its visibility, thus increasing possibilities for support from national, regional and international organizations.

III. Substantive programmes and activities

A. Overview

16. Crime is becoming more sophisticated and its impact is becoming more devastating across the African continent. The fight against crime is complicated by a lack of knowledge about its causes. Within communities, there is frequently indifference towards reporting crimes to the police. Cases sometimes come to the police because of the personal interests of the complainants rather than because of an obligation to report a crime. The police are sometimes seen as strangers who are not sensitive to the plight of the victims because of the need for victims to serve as witnesses, generating a perception that the testimony is more important than the plight of the victim. The police are often seen as a mechanism for compiling statistics and crime data rather than supporting victims, and they are often perceived as instruments of the State rather than servants of the people. This has affected the relationship between the police and the communities they serve. Resources are therefore now being channelled towards efforts to sensitize police personnel to the need for cooperation between the police and communities and to promote community policing. Resources are also being devoted to improving police public relations.

B. Project activities

17. Based on regional needs and increasing international momentum for practical measures to enhance community-based and human-rights-focused crime prevention and criminal justice strategies, the Institute is being identified by national authorities in Africa as a means to spearhead results-oriented technical support to promote popular, innovative and sustainable effective interventions.

18. The programme of work of the Institute for 2012 reflected the significance of sharing good practices tailored to the needs of individual African countries.

1. Research

19. Two reports on surveys, entitled "Evaluation of the community service orders programme of Kenya" and "Extent of implementation of the United Nations standard minimum rules by African countries", and the second edition of the *African Journal of Crime and Criminal Justice* were launched at the second biennial conference of the African Correctional Services Association (ACSA) and were recommended to Governments, educational institutions, experts and civil society organizations. The report on implementation of the standard minimum rules was discussed by a panel during the meeting of an intergovernmental expert group in December 2012.

20. A study on the drugs situation in Eastern Africa was published. The study increased knowledge about the prevalence of drug use in communities, schools and prisons as a silent crime. It showed how Africa must improve its delivery of social services for the benefit of these hidden groups that are using illicit drugs. National authorities should design special programmes targeting prisons and schools to increase understanding of these hidden segments of society.

21. Preparations for the third edition of the *African Journal of Crime and Criminal Justice* are under way, including articles on research aimed at responding to the crime problem and criminal justice challenges. Articles are being generated for consideration and processing by the editorial board. Reports indicate that the journal is influencing the formulation of policy guidelines for crime prevention and criminal justice in a number of countries and is stimulating collaboration between research institutes, experts, academic personnel and public service officers in the search for knowledge based on research on topical issues.

2. Requests from member States for technical support

22. The Institute is processing requests from:

(a) Nigeria, for technical assistance in research and programme development aimed at capacity-building for counselling and rehabilitation of victims of trafficking in human beings;

(b) Malawi, for technical assistance for crime prevention to address trafficking in human beings, alternative sentencing and the significance of forensic investigations in criminal justice;

(c) South Sudan, for assistance in prison reform through research leading to policy formulation and advocacy for resources. Needs have been assessed during a visit to South Sudan and the Institute is working out a programme of activities with the relevant authorities;

(d) Subject to availability of funds, evaluation surveys will be conducted in a number of countries in central and southern Africa on their criminal justice systems aimed at developing community-responsive correctional sanctions;

(e) Cameroon has sought support by a technical expert to analyse the situation of piracy and international armed robbery along the Gulf of Guinea in order to guide the formulation of an appropriate response to the problem. An initial report in this regard has been provided to the Cameroonian authorities.

23. Discussions have been initiated with the United States Bureau of International Narcotics and Law Enforcement Affairs, UNODC and the African Union to implement joint projects to address the priority needs of African countries to stem the drug problem by implementing drug demand reduction programmes and conducting research.

3. Training

24. The second ACSA biennial conference of correctional institutions was convened in Kampala in October 2012 with technical support from the Institute in planning, organizing and conducting the conference. The Institute presented a paper on trends and phases of corrections in Africa. Heads of 40 correctional institutions expressed interest in community-based correctional sanctions and requested the Institute to offer technical assistance in realizing that ideal. Preliminary activities have been carried out in South Sudan to establish a correctional system that incorporates reforms in operational policies, programmes and legislation. Consistent with regional and international correctional standards, the main goal is to highlight the significance within routine operations of effective social rehabilitation and subsequent reintegration of inmates into society, premised on the triangular connection between inmates, communities and the victims of crime.

25. Interactions with the offices of African States in Kampala and at regional conferences have focused on practical measures to curb the ever-increasing costs of maintaining correctional facilities, without compromising minimum standards for the human rights of inmates and while transforming them into useful members of society. The general trend has been an increase in the number of inmates, while the budgets of correctional institutions have not matched the level of admissions. In addition, most correctional institutions have faced difficulties in developing their infrastructure. As a result, new policies that promote the relationship between correctional facilities and communities, together with alternative sentencing options that will reduce overpopulation in correctional institutions, must be considered. Based on its mandate, the Institute is exploring sources of relevant expertise and technical support from sister agencies to facilitate the promotion of non-custodial sentences in Africa.

26. The Institute has facilitated the development of sentencing guidelines in the context of strengthening criminal justice in Uganda, the success of which may form the basis of good practice for dissemination to other jurisdictions. The guidelines have been promulgated and will be implemented by legal and judicial officers in Uganda so as to better ensure fairness and human rights in sentencing. The guidelines provide for a range of sentences for similar offences, using the United Nations Standard Minimum Rules for the Treatment of Prisoners as the basis for incarceration and preference for community service sentences for specific offences.

27. One of the most important elements of effective criminal justice delivery is the independence of the criminal justice system. Through technical support from donor communities and partner agencies, there is growing adherence to this requirement for impartial and professional judicial systems. This will further strengthen public confidence that justice can be delivered independently, which will help to maintain order in society. Importantly, there is a need to develop technical skills for contemporary justice delivery, improve the terms of service for judicial officers and increase the sensitization of local communities about the rights of people in custody.

Good coordination among the police, civil society, the legislative branch, the prosecution, corrections officers and local communities is essential in order to entrench the process of adjudication within legal procedures that are easily understood and familiar to people in the communities. Criminal justice reforms leading to successful judicial systems in other regions should be replicated so as to promote accountability and fairness, with full recognition of the fundamental rights of all parties. To this effect, as mandated by the General Assembly in its resolution 67/191, the Institute is collaborating with UNODC and the African Union, together with other agencies to realize this ideal.

28. The Institute, in conjunction with the Centre for Capital Punishment Studies of the University of Westminster, United Kingdom of Great Britain and Northern Ireland, is continuing the training of legal practitioners and communities in Uganda to enhance human-rights-based interventions to minimize capital punishment sentencing. This training is based on the sentencing guidelines in Uganda, which maintain capital punishment but relegate it to the last applicable option. Sessions were held in November 2012 for law students and, subsequently, for practising lawyers. Leading consultants from London with broad experience in addressing serious crime helped to conduct the training, citing local and international legal frameworks and case studies in the process. Following this training, a number of practising lawyers have expressed interest in having direct collaboration with the Institute in advancing the dissemination of knowledge on emerging trends in the area of crime. The consultants from London promised to promote the Institute among prospective donors and hoped that they would be able to make a sizeable contribution to maintain the training sessions in the future.

4. Consultative meeting of experts on drug demand reduction in Africa

29. The drug problem continues to take a high toll on national development. Besides disrupting legitimate economic activities, it is a major factor at the centre of highly lucrative transnational organized criminal activities, the illicit proceeds of which are a source of insecurity and fuel high-profile corruption. The rampant abuse of drugs has resulted in health challenges, particularly affecting young people in Africa, where countries face difficulties in implementing detection and control mechanisms for drug-related offences. The problem of drug and substance abuse has intensified into an epidemic with serious health consequences, requiring accelerated efforts towards treatment and prevention. A total of 38 African Union member States were represented by their national drug control experts at a unique technical consultation in Kampala in February 2013 to discuss drug demand reduction in Africa. The experts reinforced their resolve to fight the problem through treatment and prevention initiatives, consistent with the revised African Union Plan of Action on Drug Control (2013-2017). Guided by specific professional interventions by experts from relevant international organizations spearheaded by the African Union Commission, the Institute, UNODC, the Bureau of International Narcotics and Law Enforcement Affairs and the Colombo Plan for Cooperative Economic and Social Development in Asia and the Pacific, the experts identified the need for strategic action in priority areas, including:

(a) Conduct a rapid assessment survey of the situation regarding drug use and response capacity and needs, as requested by countries, including Botswana,

Burundi, Comoros, Côte d'Ivoire, Ethiopia, Gabon, Ghana, Liberia, Mali, Rwanda, South Africa, Togo, Tunisia and Zimbabwe;

(b) Conduct national drug use surveys to identify the prevalence rate and patterns of drug use in the general population or in school settings, as requested by Benin, Burkina Faso, Burundi, Comoros, Eritrea, Ghana, Guinea, Liberia, Malawi, Namibia, Niger, Nigeria, Rwanda, South Africa, Uganda and Zambia.

30. The revised African Union Plan of Action on Drug Control (2013-2017), which was adopted in October 2012, endorsed the need for capacity-building in research and data collection through strengthening institutions to respond to the challenges of illicit drug use and facilitate the legitimate use and movement of narcotic drugs and controlled substances for lawful and justifiable causes. The Institute has approached the Bureau of International Narcotics and Law Enforcement Affairs, the African Union Commission and UNODC with a request to continue collaboration to respond to the identified needs of African countries.

31. The fight against drugs will continue to depend on strong and relevant policies that are judiciously enforced, strengthening the law, sensitizing local communities and providing both technical support for capacity-building and alternative economic programmes to boost employment of young people. The mandate of the Institute offers prospects for guiding the necessary reforms in this matter.

5. Cybercrime

32. The Institute, through the African Centre for Cyberlaw and Cybercrime Prevention (ACCP), is collaborating with the Department of Information Science of the University of Pretoria to formulate and promote a project, Lex Informatica, to enhance the study of and disseminate knowledge about forensic science and cybersecurity. This project promotes efforts to enhance the regulation of use, generation and storage of information at the personal and institutional levels, and explores how relevant information can drive development. Information communications technology experts are part of a programme to publicize the value of ethical conduct in the context of social networking in the information age. The project also aims to safeguard the cybercommunity from the effects of electronic crime proliferated mainly through cyberscams, identity theft and other junk e-mail fraud. A number of sensitization and training workshops have been organized in South Africa, Ghana and Uganda, targeting university students who will subsequently be agents within their respective communities. The theme for 2013 was the advancement of cyberlaw and information ethics in Africa and globally. Experts in forensic and digital science and information technology, practising lawyers, business and corporate executives and public and private sector departments are following up on the project. A presentation was made by ACCP on global high-technology developments in the world and their implications for Africa at the workshop held in Pretoria.

33. The Institute is collaborating with the Council of Europe to organize a training workshop on the development and enhancement of legislation against cybercrime in East Africa. In light of the impact of cybercrime, States in East Africa (Kenya and Uganda) have adopted cybercrime legislation, while others (Burundi, Rwanda and the United Republic of Tanzania) are preparing such legislation, often with support from international or regional organizations. The workshop will provide important

information in an effort to contribute to consistent and effective cybercrime legislation in East Africa. Botswana and Mauritius will also participate in the workshop.

34. Expected results from the workshop include:

(a) Analysis of current and draft legislation of participating countries in terms of consistency with the Council of Europe Convention on Cybercrime, rule of law principles and effectiveness;

(b) Elements of cybercrime enforcement strategies identified by participants.

35. The available information concerning the response to cybercrime indicates the following concerns, as identified by ACCP:

(a) The ad hoc support normally provided is not always suitable for the long-term process of legislative reform;

(b) Legislative gaps and inconsistency with international standards;

(c) Bias towards legislation on electronic commerce rather than criminal justice responses;

(d) Insufficient safeguards and conditions regarding procedural powers;

(e) Lack of enforcement capabilities and strategies.

36. In this regard, ACCP is seeking to create effective coalitions with relevant institutions and experts in Africa to proactively facilitate remedial action, including preparing effective legislation against cybercrime. Good practices developed based on successful initiatives in controlling cybercrime in other continents has inspired the planning of a series of workshops in Africa. Africa is expected to benefit from support from the Council of Europe as part of a new global project to promote the implementation of the Council of Europe Convention on Cybercrime.

C. Information dissemination and collaboration

37. The Institute contributed articles and a goodwill message to the magazine of the second biennial conference of ACSA, which received wide distribution. The Institute also contributed to the following:

(a) Africa Union Commission online newsletter, *Drug News Africa*;

(b) Mission After Custody online magazine, *MAC Magazine*, with an article entitled "Creating a receptive community for ex-prisoners" published in August 2012.

38. Collaboration with partner agencies was aimed at promoting the visibility of the Institute, with an expected benefit of raising the prospects for resource mobilization. The Institute participated in the first UNODC intergovernmental expert meeting on the Standard Minimum Rules for the Treatment of Prisoners, held in Vienna from 31 January to 2 February 2012.

D. General direction and management

39. Concerns relating to the ownership of the land for the operation of the Institute have been resolved and the Government of Uganda has transferred the relevant title deeds to the Institute. Uganda can now proceed to solicit donor support for the construction of the centre of excellence for crime prevention and criminal justice, as requested by the Governing Board in 2010.

40. The Institute is continuing its consultation visits and exchange of correspondence with diplomatic missions to mobilize support and improve interaction with member States.

41. The Institute concluded the audit of accounts for the period 2011-2012.

IV. International cooperation and partnerships

42. Africa is a region of strategic importance in international efforts relating to crime prevention and criminal justice and plays a central role in collaboration activities and international networks, including obtaining technical assistance from specialized agencies to respond to weaknesses identified in African States. African States are seeking proactive strategies based on expert knowledge to inform policy development, which is vital in order to forestall the damage inflicted through crime. The Institute is at the forefront of these efforts with relevant regional and international agencies.

V. Funding and support

43. The total income of the Institute for 2012 was $541,622, which was less than the amount received in 2011 ($766,234). The decrease was attributable to non-payment of assessed contributions by the majority of the member States of the Institute and reduced income from leased premises. Contributions from member States amounted to $196,837 in 2012 compared with $415,439 in 2011. Similarly, $87,179 was received under "Other income" compared with $230,500 in 2011.

44. The sources of income for 2012 were as follows:

(a) Assessed financial contributions from member States: $196,837 (36 per cent);

(b) 2012 portion of the United Nations grant for the biennium 2012-2013: $257,606 (48 per cent);

(c) Other income from the rental of premises and facilities of the Institute: $87,179 (16 per cent).

45. For the period January to May 2013, the total income of the Institute amounted to $301,978, comprising the following:

(a) 2013 portion of the United Nations grant amounting to $93,500;

(b) Assessed contributions from member States: $35,349;

(c) A grant from the Colombo Plan for Cooperative Economic and Social Development in Asia and the Pacific to finance activities relating to the consultative meeting of experts on drug demand reduction in Africa, held in Kampala in February 2013, amounting to $161,375;

(d) Rentals and ground rent from leased property of $11,754.

A. Assessed financial contributions from member States

46. During the reporting period (January 2012-May 2013) the Institute collected $232,231.65 from the following member States: Congo ($24,600); Libya ($122,931.68); Mozambique ($1,733); Nigeria ($11,328); Uganda ($58,224.21) and United Republic of Tanzania ($13,414.76).

47. Of the total expected amount of $9,956,000 to be received by the Institute for the period 1989-2013, only $3,134,041 had been received as at 31 May 2013, leaving a balance of $6,821,958 of unpaid contributions.

48. The non-payment of contributions by the majority of member States has continued to cripple the performance of the Institute. The current Chair of the Governing Board, the Minister of Justice of Malawi, has continued throughout the tenure of Malawi to reach out to all member States by all possible means to remind them of their obligation to support their Institute, but with little success. The Secretariat commends the efforts of those countries that have continued to meet their financial obligations, and at the same time appeals to those that have not paid their assessed contributions to do so, so as to enable the Institute to execute its mandates.

49. A major aim of the decision by the Governing Board to appoint a special committee to review the operations of the Institute in 2011 was to find an effective solution to prompt the member States to be actively involved in providing the needed financial support for the Institute; however the review is yet to commence.

50. The Institute recognizes and highly commends the continued support to the Institute by Uganda as the host country. In addition to settling all its outstanding arrears up to 2012 amounting to $58,224, in 1989 the Government transferred to the Institute title in land measuring 33 acres.

B. United Nations grant

51. As in the previous biennium, the Institute received $360,400 under the United Nations programme budget for the biennium 2012-2013. The grant covered the salaries of the current four core Professional staff (Director, Deputy Director, Research and Policy Development Adviser and Administration/Finance Officer) for 18 months. The Institute will have to find an additional $120,000 to cover Professional staff salaries for six months (July-December 2013) and other staff costs for the international Professional staff. As stated in the previous report to the General Assembly (A/67/155), the Institute badly requires a sum of $711,760 to be able to cover from the United Nations regular budget the full costs of the core Professional posts, including the two currently frozen but urgently needed core posts of Training Adviser and Information/Documentation Adviser. The Institute is

therefore requesting that the grant be increased from the current $365,300 for the biennium 2012-2013 to $711,760 for the biennium 2014-2015. In this regard, it must be emphasized that all salaries are within the salary scales of the Institute.

52. At its fifth session, the Governing Board decided that in lieu of reviewing only the staff rules and regulations and financial rules and regulations of the Institute, it would instead direct that a system-wide review of the Institute be carried out to determine the overall status of the Institute, including its governance, mandate and support from member States. The Board approved an increase in staff salaries of 100 per cent as an interim measure until the completion of the review.

53. The numerous previous requests from the Institute to the General Assembly to consider increasing the United Nations grant were needed as a result of the approval by the Governing Board of the 100 per cent salary increase. The requests are not intended to equate the salaries of the staff of the Institute with those of the United Nations, but rather they are needed to cover the deficit which resulted from the salary increase approved in 2003. Equating staff salaries at the Institute to those of United Nations staff awaits the anticipated revision of the staff rules and regulations.

54. The Institute wishes to note with appreciation the prompt action by the Executive Secretary of ECA in dispatching the consultant who initiated the diagnostic study to determine the extent of the required review of the Institute (see also sect. II.A above). The interim report by the consultant identified areas requiring immediate attention before the full review is undertaken. It is anticipated that the review will be completed and adopted by relevant organs in the United Nations system before the 2016-2017 biennium.

C. Other income

55. The following revenue was received for the period January 2012 to May 2013:

	United States dollars
Leased premises	$67,379.77
Rented premises	$29,776.90
Interest and gain on exchange	$1,776.82
	$98,933.49

VI. Future of the Institute

56. The countries of Africa must find common ground on the apparently insurmountable challenges and must intensify immediate efforts to implement necessary reforms while laying out a clear plan to integrate relevant local practices into a sustainable crime prevention regime. In the face of high-profile crime and current trends in transnational organized crime, crime prevention and criminal justice mechanisms in Africa face challenges and intermittent setbacks, although ongoing efforts promise continued improvement. This requires African countries to collaborate more to form a concerted bloc, relax some sovereignty concerns and

share costs, in the interests of a pan-African strategy that promotes regional harmony as a remedial measure against crime. Africa should stake its claim on the stability of the region and champion its socioeconomic development, by confronting criminal activities with decisive crime prevention initiatives centred on professional advisory services from the Institute and the network of affiliate organizations. Increasingly, the fight against crime in Africa will have to incorporate poverty eradication schemes.

57. Criminal justice systems in Africa face severe challenges and must be reformed to allow the continent to address emerging criminal trends. Cyberspace in Africa is considered to be the most frequently attacked in the world. Crime is being conducted using the very instruments of development that are so highly valued by African countries: technological tools. The situation is further aggravated by dire social conditions, imposing unprecedented calamities and social challenges caused by avoidable epidemics: disease resulting from a variety of conditions ranging from basic sanitation problems to complex viral infections, especially in sub-Saharan Africa; food insecurity caused by ancient methods of peasant production; scarcity of clean water caused by environmentally degrading practices; and unemployment resulting from low levels of investment. All these undermine the normal production of wealth that should increase the standard of living.

58. Economic potential is affected by inadequate management, which can cause deficits and economic setbacks. The continent has to re-energize its capacities to support faltering crime prevention mechanisms, notwithstanding existing and new strategies and policies that sustain the momentum against crime. The development objective of the Institute enjoins it to actively participate in regional and subregional mechanisms for economic integration and political cooperation to bring crime prevention awareness into the mainstream. The prevalent and dynamic crime problem in Africa must be addressed with a combination of measures, together with coordination of relevant agency programmes to pursue common crime prevention targets; this will require resources and expertise, including technological innovations. However, this struggle is likely to be protracted. In the interim, the situation will require criminal justice systems and crime prevention agencies to use the knowledge base available at the Institute in order to afford Africa the chance to ease the deficiencies in expertise and skills that have resulted in operational setbacks in crime prevention. Africa would do well to align current policies with required standards and norms so as to avoid disorder in service provision and promote proper management of public affairs and observance of the rule of law through orderly and transparent procedures of good governance.

59. There have been challenging instances of extremism, linked to sporadic rebellions and insurgencies, piracy and upsurges of social-political agitation, especially following the Arab Spring and the post-revolution effects. In some instances, these have been used to cover human rights abuses and the commission of crimes against property. In May 2013, as Africa celebrates 50 years of integration and political cooperation, as well as the tenth anniversary of the African Peer Review Mechanism, there has been a useful effort to maintain standards for constitutionalism in the region. Political developments have led to an increased focus on socioeconomic integration, including enhanced cooperation at the regional and subregional levels in matters of maintaining peace and security and combating crime across boundaries. Institutions that are mandated to facilitate crime

prevention and strengthen criminal justice should be incorporated into regional mechanisms tasked with strategic planning for the future of the continent. The ongoing review of the Institute and the recommendations to strengthen it should help to shape the new definitions around which development will revolve. The growing collaboration between the Institute, UNODC and the African Union should be consolidated to take special cognizance of the budgetary challenges that affect the capacity of the Institute to fulfil its mandate.

60. It is crucial that development in the social sector should deal with social inequalities, with a focus on investing in education that addresses national economic priorities. Stiffer sanctions should be introduced for officials who exploit their position and act outside the law. Marginalization of certain sectors of the population is a factor in crime. According to Transparency International, Africa still suffers from gross misappropriation of resources, including resources from donors, because of high levels of corruption. The Institute is planning to develop programmes to sensitize Governments and conduct various training modules to emphasize the importance of acquiring and retaining the skills needed for development. Member States should support the Institute by paying to participate in these programmes.

61. The consequences of lack of employment opportunities, uneven development, uncontrolled investment, environmental destruction, overpopulation and social service delivery challenges manifest in social discontent and conflict. According to the World Bank *World Development Report 2011: Conflict, Security, and Development*,[1] violence is one of the central development challenges of this time. Progress in the region is severely threatened by the onset of violence, dissent and discontent and various other pressures on democracy. It is an issue of concern that most resources, including international support, are deployed to settle disputes arising out of discontent in virtually all regions of Africa; the north, the Great Lakes region, the Horn of Africa and the west of the continent. This situation has received substantial momentum from recent upheavals calling for greater self-determination, with a variety of spill over effects. The lesson from these upheavals is that Africa needs more sensitization to the obligations deriving from civic and national patriotism, rule of law, good governance, democratic culture and amicable resolution of conflicts without violence. The Institute should spearhead proactive programmes to make this happen, in collaboration with partner agencies, promoting socioeconomic development through good governance in all countries in Africa in the process. Public resources and the environment should be protected as a common good, benefiting all sectors of the population. This will give impetus for Africa to participate more meaningfully in the global efforts for crime prevention and merit potential donor support from agencies and Governments.

VII. Conclusion

62. The fight against crime has gained the attention of Governments, institutions and experts. Legal frameworks, justice systems and crime prevention mechanisms still appear to be addressing the "tip of the iceberg", that is, the symptoms. Local communities that are unaware of the serious criminal aspects of acts such as

[1] World Bank, *World Development Report 2011: Conflict, Security, and Development* (Washington, D.C., 2011).

smuggling, trafficking in human beings and corruption should be integrated into the processes that define criminal acts, with their level of participation and their views respected and visibly incorporated into policy. Input from local communities should be tapped by conventional crime prevention agencies to add a new dimension to the ongoing search for effective strategies for crime prevention. The mandate of the Institute covers, inter alia, undertaking policy-oriented surveys, studies and research and assisting in the development of information and databases on crime, crime prevention and criminal justice; and promotion of cooperation, collaboration and coordination of efforts among Governments in the formulation and harmonization of common policies and exchange of information on crime prevention and control. Based on the unique relationship of the Institute with its member States, opportunities for activating valuable programmes to address crime in Africa will be crucial, cost-effective and relevant.

63. The review of the Institute coincides with the review of focus at the African Union during the golden jubilee celebrations for continental unity. In the process, it is recommended that crime prevention and criminal justice administration premised on the mandate of the Institute have a central role. Politics of integration, economic emancipation and social development of the continent will be upheld by significant investment in crime prevention.

64. Resolutions of the General Assembly, the Economic and Social Council, the African Union and the Governing Board of the Institute demonstrate the importance of supporting the Institute, including through closer cooperation with member States and relevant national and international entities. The Institute repeats its appeal to the donor community, partner agencies, the African Union and the United Nations to actively support it, so that it can assist African States in more effectively addressing issues relating to crime prevention and criminal justice in a concerted manner.

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International drug control

International cooperation against the world drug problem

Report of the Secretary-General

Summary

The present report has been prepared pursuant to General Assembly resolution 67/193, in which the Assembly requested the Secretary-General to submit to it at its sixty-eighth session a report on the implementation of that resolution. The report provides an overview of the world drug situation and of the implementation of the mandates relating to international drug control by Member States, the United Nations Office on Drugs and Crime, other entities of the United Nations system and relevant international organizations. It also provides information on the preparations for the high-level review of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, to be held in 2014, and contains recommendations for consideration by the Assembly in preparing for the special session on the world drug problem to be held in 2016.

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I. Introduction

1. At its sixty-fourth session, the General Assembly adopted the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,[1] in which Member States reaffirmed their commitment to ensure that all aspects of demand reduction, supply reduction and international cooperation were addressed in full conformity with the purposes and principles of the Charter of the United Nations, international law and the Universal Declaration of Human Rights and, in particular, with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States, all human rights, fundamental freedoms, the inherent dignity of all individuals and the principles of equal rights and mutual respect among States.

2. In its resolution 67/193, entitled "International cooperation against the world drug problem", the General Assembly reiterated its call upon States to take, in a timely manner, the measures necessary to implement the actions and attain the goals and targets set out in the Political Declaration and Plan of Action. In the same resolution, the Assembly also decided to convene, early in 2016, a special session on the world drug problem, following the high-level review of the progress made in the implementation by Member States of the Political Declaration and Plan of Action, which would be conducted by the Commission on Narcotic Drugs at its fifty-seventh session, in March 2014.

3. The present report, prepared pursuant to Assembly resolution 67/193, provides an overview of the world drug situation as well as an overview of the implementation of the mandates relating to international drug control by Member States, the United Nations Office on Drugs and Crime (UNODC), other entities of the United Nations system and relevant international organizations. It follows the structure of the Political Declaration and the Plan of Action in highlighting the priorities followed by Member States and UNODC, including through the work of the Commission on Narcotic Drugs. It also provides information on the preparations for the high-level review of the implementation of the Political Declaration and Plan of Action, to be conducted by the Commission on Narcotic Drugs in 2014, and contains recommendations for consideration by the Assembly in preparing for the special session of the General Assembly on the world drug problem to be held in 2016.

II. Overview of the world drug situation

4. The information presented in the present section is based on data submitted by Member States through the annual report questionnaire concerning action taken to implement the Political Declaration and Plan of Action, and on data contained in the *World Drug Report 2013*.[2]

[1] See *Official Records of the Economic and Social Council, 2009, Supplement No. 8* (E/2009/28), chap. I, sect. C.

[2] United Nations publication, Sales No. E.13.XI.6.

Illicit production of and trafficking in opium

5. In 2012, UNODC and its national counterparts conducted opium surveys in Afghanistan and South-East Asia.

6. Afghanistan remained by far the largest source country for opiates worldwide. The total area under opium poppy cultivation in Afghanistan in 2012 was estimated at 154,000 hectares, an 18 per cent increase compared with 2011. Nevertheless, potential production of opium fell by 36 per cent in 2012, to 3,700 tons, owing to a combination of a disease affecting the opium poppy and adverse weather conditions. With a total area of over 58,000 hectares in 2012, most opium poppy cultivation in South-East Asia took place in the Lao People's Democratic Republic and Myanmar. Mexico remained the largest opium-poppy growing country in the Americas.

7. As of 2011, global aggregate seizures of morphine and heroin had increased by approximately half over a period of three years, in spite of the decreasing trend in production during the period 2007-2010.

8. While heroin use was reportedly decreasing or stabilizing in established markets in North America and West and Central Europe, data on seizures and heroin use suggested that heroin markets were expanding in some parts of Africa and Asia.

Illicit manufacture of and trafficking in cocaine

9. In 2011, UNODC and its national counterparts conducted coca surveys in Bolivia (Plurinational State of), Colombia and Peru.

10. The cocaine market declined strongly during the period 2006-2012 in North America, and in Western and Central Europe it appeared to have stabilized following many years of increase. However, in recent years, there have been indications of increasing cocaine consumption in countries in Asia and Africa.

11. Global illicit cultivation of coca bush in 2011 remained around the levels reported for 2010 (about 155,600 hectares). Despite uncertainty in the global estimates of cocaine manufacture, it can be assumed that those levels also remained unchanged (between 776 and 1,051 tons in 2011).

12. After a relatively stable period between 2005 and 2009, global cocaine seizures declined in both 2010 and 2011. However, the geographic distribution of seizures remained unchanged, with the major producing and transit regions of South America, Central America and the Caribbean accounting for 71 per cent of global seizures in 2011 (compared with 74 per cent in 2009). Seizures in the traditional consumer markets of North America and Europe accounted for 28.7 per cent of global cocaine seizures.

Illicit production of and trafficking in cannabis

13. Cannabis is the world's most widely used illicit substance. Given the relative ease with which cannabis herb (marijuana) can be produced, demand is often met through local production. As a result, trafficking flows for cannabis tend to be more localized than those for other plant-based illicit drugs.

14. North America continues to account for more than half of global cannabis herb seizures, mainly owing to the quantities seized in Mexico and the United States of America. Large quantities are also seized in South America and Africa.

15. In contrast with cannabis herb, production of cannabis resin is concentrated in a small number of countries. Consequently, trafficking of cannabis resin tends to follow flows that are more distinct. One of those flows is into Europe from Morocco; another is from Afghanistan into and through neighbouring countries.

Illicit manufacture of and trafficking in amphetamine-type stimulants and new psychoactive substances, and the increasing diversion of precursors

16. Amphetamine-type stimulants (ATS) remain a significant global threat, with increasing levels of seizures and use, manufacture spreading to new markets and increasing diversion of precursor chemicals. Use of ATS remained steady in their traditional markets, namely, North America and Oceania, while increasing use was noted in East and South-East Asia and Africa. Seizures of ATS reached new highs across all regions, with Asia, North America and Europe registering the most marked increases.

17. The emergence of new psychoactive substances continues to pose major challenges for authorities worldwide. On the basis of information submitted by Member States and a network of drug analysis laboratories in response to a questionnaire, UNODC prepared a report entitled *The Challenge of New Psychoactive Substances*,[3] which provided the first global overview of the emergence of the substances. At its fifty-sixth session, in March 2013, the Commission on Narcotic Drugs adopted resolution 56/4, entitled "Enhancing international cooperation in the identification and reporting of new psychoactive substances", in which the Commission urged UNODC to continue to develop the voluntary electronic portal of the international collaborative exercises to enable timely and comprehensive sharing of information on new psychoactive substances, including analytical methodologies, reference documents and mass spectra.

18. Global amphetamine seizures followed a generally increasing trend during the period 2001-2009, driven in part by increases in Captagon seizures in the Near and Middle East and South-West Asia, which overtook Europe in terms of total seizures.

19. After relatively stable levels of seizures leading up to 2008, the annual amount of methamphetamine seized globally increased rapidly in 2011 and was more than three times the amount recorded in 2008.

20. In recent years, the global market for methylenedioxymethamphetamine (MDMA), commonly known as "ecstasy", showed a marked decline, with global seizures falling from record levels in 2007 to 3.5 tons in 2011.

III. International cooperation against the world drug problem

A. Action by the Commission on Narcotic Drugs

21. At its fifty-sixth session, the Commission on Narcotic Drugs adopted 16 resolutions relating to international drug control and one decision relating to changes in the scope of control of substances. One draft resolution, entitled "United Nations Guiding Principles on Alternative Development", was recommended for

[3] Available from www.unodc.org/documents/scientific/NPS_2013_SMART.pdf.

approval by the Economic and Social Council for adoption by the General Assembly.

22. Issues covered by the adopted resolutions included supply reduction, new psychoactive substances, forensic drug profiling, HIV/AIDS, international control of narcotic drugs and psychotropic substances, the principle of common and shared responsibility, data collection, precursors, tramadol and alternative development.

23. In its decision 56/1, entitled "Transfer of *gamma*-hydroxybutyric acid from Schedule IV to Schedule II of the Convention on Psychotropic Substances of 1971", the Commission, upon recommendation of the World Health Organization (WHO), decided, by 41 votes to 1, with no abstentions, to transfer *gamma*-hydroxybutyric acid (GHB) from Schedule IV to Schedule II of the 1971 Convention.

24. Three round-table discussions were held at the fifty-sixth session of the Commission on the following topics: demand reduction and related measures; supply reduction and related matters; and countering money-laundering and promoting judicial cooperation to enhance international cooperation.

25. The International Narcotics Control Board presented its annual report for 2012[4] and its report for 2012 on the implementation of article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988[5] during the session, and speakers expressed appreciation and support for the work of the Board, and recognized its role in monitoring the implementation of the international drug control conventions and in ensuring the availability of internationally controlled substances for licit uses.

26. The need to address challenges posed by new psychotropic substances and the use of cannabis seeds for illicit cultivation was stressed. The Commission also decided to include in the agenda of its next session a sub-item on challenges and future work of the Commission and WHO in the review of substances for possible scheduling recommendations, in order to assist Member States in applying the existing scheduling procedures as contained in the three international drug control conventions.

B. Action by subsidiary bodies

27. Four meetings of subsidiary bodies of the Commission on Narcotic Drugs were held in 2012: the Twenty-second Meeting of Heads of National Drug Law Enforcement Agencies, Africa, was held in Accra from 25 to 29 June; the Twenty-second Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, was held in Antigua, Guatemala, from 1 to 5 October; the Thirty-sixth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, was held in Bangkok from 30 October to 2 November; and the forty-seventh session of the Subcommission on Illicit Drug

[4] *Report of the International Narcotics Control Board for 2012* (E/INCB/2012/1).

[5] *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 2012 on the Implementation of Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988* (E/INCB/2012/4).

Traffic and Related Matters in the Near and Middle East was held in Antalya, Turkey, from 19 to 23 November.

28. Those subsidiary bodies addressed issues of priority in drug law enforcement in their regions and reviewed progress made in the implementation of recommendations made at previous sessions.[6]

IV. Demand reduction and related measures

29. Within its thematic programme that addresses health and human development vulnerabilities in the context of drugs and crime, UNODC has increased its emphasis on compassionate and ethical demand reduction, rehabilitation and related health-protection measures as part of its efforts to put a health-centred and humanitarian approach at the heart of drug control policy.

A. Reducing drug abuse and its health and social consequences

30. UNODC increased its collaboration with WHO on improving the coverage and quality of services for the treatment and care of drug use disorders, based on scientific evidence and ethical standards.

31. A major achievement of UNODC efforts in the area of treatment has been the successful implementation of a knowledge-sharing mechanism through which professionals from a wide range of disciplines related to drug dependence treatment have been trained.

32. Work has continued on the promotion of a global coordinated response from public institutions and non-governmental organizations to protect children and adolescents at risk of drug dependence, and/or those affected by drug use dependence and its health and social consequences. The first phase is being piloted in Afghanistan and it is expected that the second phase will reach as many countries and regions as funds allow.

33. The UNODC programme on family skills training in drug abuse prevention and the UNODC Youth Initiative were expanded, supporting prevention activities in a growing number of countries. A number of activities were carried out in 12 countries in four different regions with the objective of implementing evidence-based family skills training programmes to prevent drug use, HIV/AIDS, and crime and delinquency among young people by strengthening and improving the capacity of families to take care of their children. Over 3,500 family members have been reached so far under these programmes.

34. UNODC published *International Standards on Drug Use Prevention*[7] and launched the Prevention Strategy and Policymakers Initiative to create regional prevention hubs, starting in Central America, North Africa, Central Asia and East Asia. The *International Standards* aim to empower Member States to develop comprehensive and effective drug prevention systems, and to promote healthy lifestyles, particularly among young people. The ultimate goal is to form a common,

[6] See E/CN.7/2013/5.

[7] Available from www.unodc.org/documents/prevention/prevention_standards.pdf.

science-based foundation for prevention work. The *International Standards* are aimed at national-level policymakers.

35. Pursuant to Commission on Narcotic Drugs resolution 54/6, entitled "Promoting adequate availability of internationally controlled narcotic drugs and psychotropic substances for medical and scientific purposes while preventing their diversion and abuse", UNODC has initiated the review and revision of model laws.

B. Access to treatment, health care and social services, including prevention of HIV/AIDS and other drug-related diseases

36. UNODC is responding to HIV/AIDS among drug users and in prison settings, in line with its mandates, reaching over 100 countries worldwide. The Office is building the evidence base for public health approaches to HIV prevention, treatment and care services, and is facilitating the review and adaptation of national legislation and policies concerning narcotic drugs, criminal justice, prison management and HIV. Those efforts are aimed at strengthening regulations, policies and legislative reforms, which are critical for evidence-informed and human rights-focused HIV services for people who use drugs and those living in prisons and other closed settings.

37. The delivery of HIV services, technical assistance and advocacy by UNODC and its production and dissemination of strategic information and global guidelines have facilitated the scaling up of needle and syringe programmes, opioid substitution therapy and other evidence-based responses for people who use opioids and/or stimulant drugs in key countries. Access to timely and uninterrupted antiretroviral therapy for people using drugs and for people in prisons and other closed settings who are living with HIV has also been expanded.

38. UNODC made notable progress in advancing global dialogue and advocacy on gender-responsive HIV/AIDS programmes and on improving equitable access to HIV/AIDS prevention, treatment and care services for female drug users and female prisoners, for example in Afghanistan, Nepal, Pakistan and Ukraine. The capacity of service providers to deliver gender-specific services was significantly enhanced, and that work informed the development of targeted interventions, including with regard to mother-to-child transmission of HIV, female drug users and women living in prisons and other closed settings.

39. UNODC, together with the International Labour Organization (ILO), the United Nations Development Programme (UNDP), WHO and the Joint United Nations Programme on HIV/AIDS (UNAIDS), drafted the policy brief "HIV prevention, treatment and care in prisons and other closed settings: a comprehensive package of interventions", in which 15 essential interventions for prisons and other closed settings are outlined. The document is aimed at guiding relevant decision makers when planning and implementing responses to HIV in prisons and other closed settings.

40. UNODC organized the Global Technical Meeting on Stimulant Drug Use and HIV, held in São Paulo, Brazil, from 25 to 27 January 2012, which was attended by leading experts in stimulant use and HIV and representatives from the UNAIDS secretariat, UNDP and civil society. The experts recommended a targeted approach

to address the unique needs of certain groups of non-injecting drug users, especially those who use crack cocaine and amphetamine-type stimulants, as they intersect with HIV prevention, treatment and care. UNODC contributed to the finalization of the *WHO, UNODC, UNAIDS Technical Guide for Countries to Set Targets for Universal Access to HIV Prevention, Treatment and Care for Injecting Drug Users: 2012 Revision*, which contains an expanded framework for assessing the quality of key HIV interventions for people who inject drugs.

41. In order to intensify efforts to achieve the targets of the Political Declaration on HIV and AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS (General Assembly resolution 65/277, annex), in particular the target of reducing HIV transmission among people who inject drugs by 50 per cent by 2015, UNODC selected, jointly with global and regional civil society organizations, 24 high-priority countries for the period 2013-2015. A joint workplan between UNODC and civil society organizations was developed, which contains specific outputs and deliverables that will contribute to achieving the target.

42. In its resolution 56/6, entitled "Intensifying the efforts to achieve the targets of the 2011 Political Declaration on HIV and AIDS among people who use drugs, in particular the target to reduce HIV transmission among people who inject drugs by 50 per cent by 2015", the Commission strongly requested Member States, in accordance with national legislation, to reinforce the coordination among relevant national authorities, inter alia, health, criminal justice and law enforcement authorities, as well as civil society, and to develop strategies to ensure that HIV prevention, treatment, care and support for people who use drugs, in particular people who inject drugs, are affordable, available and accessible in order to achieve maximum efficiency of those interventions, without stigma or discrimination and while ensuring gender equality.

V. Supply reduction and related measures

43. UNODC provides technical assistance to requesting Member States to build the capacity of law enforcement and judicial authorities, improve border control and counter the laundering of proceeds of crime. Given the close links between drug trafficking and the activities of transnational organized criminal groups, UNODC assistance is based on the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption. Alternative livelihood programmes also serve as an important component in strategies to reduce supply.

A. Regional and international cooperation in countering the world drug problem and the principle of common and shared responsibility

44. Through its regional programmes for West Africa, East Africa, Southern Africa and the Arab States, and in close partnership with regional mechanisms, including the African Union, UNODC aimed to promote regional cooperation to address the drug problem. Initiatives in that area include: the response to the crisis in the

Sahel 2013-2017; the West Africa Coast Initiative (a joint initiative between UNODC, the Department of Peacekeeping Operations of the Secretariat, the Department of Political Affairs of the Secretariat, the United Nations Office for West Africa and the International Criminal Police Organization (INTERPOL); and the ongoing establishment of transnational crime units to promote counter-trafficking cooperation among East African countries. In its resolution 56/16, entitled "Enhancing international cooperation to strengthen efforts in West Africa to counter illicit drug trafficking", the Commission on Narcotic Drugs invited UNODC and Member States to continue to provide technical assistance, upon request, to support the Economic Community of West African States and Member States in their efforts to combat drug trafficking.

45. UNODC continues to support the strengthening of national capacities in order to reduce drug demand and drug-related social and health consequences, including in prison settings, in line with international standards and norms. In 2013, as part of a comprehensive programme in Nigeria funded by the European Union, UNODC initiated a project dealing with drug use prevention and treatment and drug trafficking and related organized crime.

46. The regional programme framework for East Asia and the Pacific for the period 2009-2012 has been extended to the end of 2013 and the new regional programme for East Asia for the period 2014-2017 is under preparation. UNODC continued to participate as an observer in the Association of Southeast Asian Nations (ASEAN) Senior Officials Meeting on Drug Matters and the ASEAN Senior Officials Meeting on Transnational Crime. UNODC and ASEAN share concerns about worsening regional trends regarding opium and amphetamine-type stimulants.

47. UNODC activities in South Asian countries have focused on HIV prevention among drug users, including those in prisons, and on drug law enforcement. The Office has established a platform for information exchange and cooperation with the South Asian Association for Regional Cooperation (SAARC). Joint technical cooperation activities were carried out in the areas of drug law enforcement and drug use and HIV prevention in selected SAARC countries. A regional programme for South Asia for the period 2013-2014 was launched in May 2013.

48. UNODC continues to provide legal and implementation advice, upon request, with regard to the international drug control framework, which comprises the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971, and the 1988 Convention. In the course of 2012, three additional instruments of ratification or accession to the 1988 Convention were deposited. UNODC further provided legislative assessment and assistance services in respect of the conventions to five countries in Africa, South-Eastern Europe and South-East Asia.

49. Through its regional programme for promoting counter-narcotics efforts in Afghanistan and neighbouring countries for the period 2011-2014, UNODC is continuing its work towards forging a regional response in West and Central Asia by bringing together various activities taking place at the national level in each country. The framework covers Afghanistan, Iran (Islamic Republic of), Pakistan and the five Central Asian countries, and is focused on drug control and improved support for cross-regional efforts to counter the Afghan drug trade at the regional level, supporting the objective of enhancing confidence and trust.

50. The newly developed interregional drug control approach of UNODC connects its programmes and initiatives to stem the trafficking of drugs originating in Afghanistan. The approach fosters enhanced exchange of intelligence, upgraded training capacities, more effective action against drug-related financial flows and money-laundering and expanded maritime cooperation, focusing on connecting the law enforcement-related components of existing programmes and initiatives.

51. The Third Ministerial Conference of the Paris Pact Partners on Combating Illicit Traffic in Opiates Originating in Afghanistan adopted the Vienna Declaration in February 2012 as the framework and road map for enhanced cooperation for all future interventions within four areas: regional initiatives; financial flows linked to illicit traffic in opiates; preventing the diversion of precursor chemicals; and reducing drug abuse and dependence. The objective of the fourth phase (2013-2016) of the Paris Pact initiative is to demonstrate the results of heightened collaboration among its 78 partners in the above-mentioned four priority areas. In its resolution 56/3, entitled "Strengthening international cooperation in combating illicit opiates originating in Afghanistan through continuous and reinforced support to the Paris Pact initiative", the Commission on Narcotic Drugs reiterated that the Vienna Declaration, including its four main thematic areas, was considered a road map for concrete action and international cooperation under the Paris Pact initiative for the upcoming period.

52. In May 2012, UNODC launched the regional programme for South-Eastern Europe for the period 2012-2015, which will link the work of UNODC in Europe to its work in West and Central Asia and will be a strong platform for countering the trafficking of heroin along the Balkan corridor, which runs from Afghanistan to Western and Central Europe. The underlying principle driving the regional programme is shared responsibility among countries and among different bodies and organizations.

53. Since its launch, the regional programme for South-Eastern Europe has undertaken important activities to assist Member States, at their request, in countering drug trafficking, as well as addressing transnational organized crime, corruption, money-laundering and drug abuse.

54. UNODC established its first liaison and partnership office in Mexico in October 2012. The second liaison and partnership office was launched in Brazil during the UNODC Executive Director's visit to the country in May 2013. Both offices will allow UNODC to focus on the delivery of regional and South-South cooperation, including outside the region.

55. UNODC expects to launch its first regional programme for the Caribbean, for the period 2013-2016, in support of the Caribbean Community (CARICOM) Crime and Security Strategy 2013. UNODC is undertaking negotiations with relevant stakeholders in order to develop a new regional programme for Central America, aligned with regional and national policies and priorities, including the Central American Security Strategy of the Central American Integration System.

56. The links between trafficking in and misuse of firearms and organized crime, including drug trafficking, are illustrated by, inter alia, the fact that firearms are a lucrative trafficking commodity. Findings derived from crime scene analysis or arms seizures provide a further indication of the possible cause-and-effect relationship

between trafficked arms and the crimes committed by organized crime groups or otherwise related to the illicit drug trade.

57. UNODC is developing a study on trafficking in firearms and its links to other cross-border trafficking flows in order to establish possible links to various forms of organized crime. The study will enable the production of more reliable and evidence-based information on the dimension and impact of firearms trafficking and on its possible links to various forms of organized crime. It will assist Member States in enhancing responses to counter trafficking in firearms and related crimes.

58. A technical assistance programme addressing the threat of organized crime and trafficking is the joint World Customs Organization and UNODC Container Control Programme, which assists law enforcement agencies in identifying and inspecting high-risk maritime containers through the setting up of profiling units and the implementation of a phased training approach. To date, the Programme is operational in 19 Member States and there are plans to expand it significantly in the future. Regional and international cooperation is made possible through ContainerComm, a unique, web-based communication tool that allows encrypted and secured, real-time and standardized communication of data such as warning messages, seizure reports, feedback, alerts and other relevant law enforcement-related information.

B. Sustainable crop control strategies targeting the illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances

59. UNODC focused its work on addressing illicit crop cultivation through development-oriented drug control programmes in Afghanistan, Bolivia (Plurinational State of), Colombia, the Lao People's Democratic Republic, Myanmar and Peru.

60. In Colombia and Peru, UNODC alternative development programmes improved the social and economic situation of families in specific coca bush-growing areas through farmer-led small business enterprises, which were able to increase revenues on the international markets. In Peru alone, exports of products stemming from alternative development amounted to more than $150 million in 2012.

61. A significant role was played by Peru in promoting best practices and lessons learned from alternative development programmes, based on the country's extensive expertise in that regard. Peru hosted a visit from the Government of Afghanistan, during which the delegation travelled to UNODC alternative development project sites in the Huánuco region, to learn about the successes and challenges of the programmes and to explore potential South-South cooperation.

62. In the Plurinational State of Bolivia, the focus of the programmes was to generate jobs and legitimate income through productive forestry and agroforestry practices and to halt the deterioration in natural resources resulting from coca monoculture.

63. In Myanmar, UNODC alternative development programmes targeted the improvement of food security in opium poppy-growing communities. The

programmes promoted advanced farming practices and the diversification of income-generating activities. A first general assessment of the situation in Shan State was undertaken in February 2013 to evaluate the scope of the long-term technical assistance required to address opium poppy cultivation.

64. In the Lao People's Democratic Republic, UNODC, in cooperation with the Royal Project Foundation and the Highland Research and Development Institute of Thailand, provided technical assistance to opium poppy-growing communities on innovative technology in agriculture, which enabled the improvement of food security and increased the annual cash income of villages.

65. With a view to fostering international cooperation based on the principles of shared responsibility and an integrated and balanced approach, the high-level International Conference on Alternative Development was held in Lima from 14 to 16 November 2012, as follow-up to the International Seminar Workshop on Sustainable Alternative Development, held in Chiang Rai and Chiang Mai, Thailand, from 6 to 12 November 2011. The outcome of the Conference was the adoption of the Lima Declaration on Alternative Development and the International Guiding Principles on Alternative Development, which contain both policy and technical guidance for Member States and international organizations on alternative development. The Commission on Narcotic Drugs, at its fifty-sixth session, recommended to the Economic and Social Council the approval of the Guiding Principles for adoption by the General Assembly.

VI. Countering money-laundering and promoting judicial cooperation

66. UNODC staff, based both at headquarters and in the field, provided training on countering money-laundering and the financing of terrorism, as well as capacity-building and mentoring, to a range of countries in 2012, through the UNODC Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism. The Office provided long-term assistance in the development of viable regimes to counter money-laundering and the financing of terrorism to 43 countries in nine subregions through the delivery of training; international conferences, in partnership with other agencies and organizations, where possible; and substantive legal reviews.

67. UNODC prepared and delivered tailored training to the staff of financial intelligence units, law enforcement authorities, customs and border control agencies, and judicial authorities in practical and operational aspects of countering money-laundering and the financing of terrorism, such as the conduct of financial analysis and investigations, the prevention of cash smuggling, criminal asset confiscation and management, and the prosecution of money-laundering and other financial crimes. Field-based mentors in West Africa, East Africa, Southern Africa, Central Asia (until July 2012) and the Mekong subregion provided hands-on, tailored mentoring and guidance to authorities in the countries of their areas of responsibility. The Office continued providing support to the Asset Recovery Network of the Financial Action Task Force of South America against Money-Laundering, as well as the Asset Recovery Inter-Agency Network for

Southern Africa. It also worked with Member States in Asia Pacific and in West Africa to begin the creation of similar networks in those subregions.

68. UNODC participated in conferences and workshops on the topics of illicit financial flows from Afghan opiates, as part of its work under the Paris Pact initiative, and on illicit financial flows from piracy off the coast of Somalia in association with partners such as the Contact Group on Piracy off the Coast of Somalia, the World Bank and INTERPOL. The Office also conducted legal reviews and provided assistance to enhance legal and regulatory frameworks in four countries and continued to support the International Money Laundering Information Network (IMoLIN) (www.imolin.org) and its Anti-Money Laundering International Database.

VII. Data collection and research

69. UNODC continued to support countries in improving data availability and developed a set of training materials for the annual report questionnaire, which were used to build the capacity of experts from Central Asia and Oceania. Expert advice was also provided on drug use surveys and drug monitoring systems in West Africa and Pakistan.

70. UNODC continued to assist various Governments in the monitoring of illicit crops and production of drugs. In 2012, technical support was provided to Bolivia (Plurinational State of), Colombia, Ecuador and Peru in monitoring coca bush cultivation, to the Lao People's Democratic Republic and Myanmar in monitoring opium poppy cultivation and to Afghanistan and Mexico in monitoring opium poppy and cannabis cultivation.

71. The 2013 edition of the *World Drug Report* provides an overview of recent trends and the current situation in terms of illicit production and trafficking, as well as consumption and health-related consequences of drug use, as measured by treatment for drug dependence, drug-related morbidity and drug-related deaths. The report contains a discussion of the phenomenon of new psychoactive substances, which have dynamic, fast-mutating producers and "product lines" that have emerged over the past decade, as well as suggestions for an early warning system and options for control mechanisms for such substances at different levels.

72. UNODC published a report entitled *Misuse of Licit Trade for Opiate Trafficking in Western and Central Asia: A Threat Assessment*,[8] which has been used by law enforcement institutions, policymakers, researchers and the general public.

73. In 2011, UNODC initiated research on the market for cannabis seeds for illicit purposes, paying particular attention to trade over the Internet. UNODC reported to the Commission on Narcotic Drugs at its fifty-sixth session on the preliminary results of the market study undertaken, which showed the different roles that cannabis seeds play in the cultivation and production of cannabis. The report also provides a broad picture of the major flows and the driving forces of the related markets.

[8] Available from www.unodc.org/documents/data-and-analysis/Studies/Opiate_Trafficking_and_Trade_Agreements_english_web.pdf.

74. Monitoring the illicit manufacture of, trafficking in and use of ATS is a challenge for many Governments, and functional systems for monitoring them are largely located in developed countries. The UNODC global Synthetics Monitoring: Analysis, Reporting and Trends (SMART) programme continued to provide regular reports on emerging patterns and trends in the fast-changing global synthetic drugs situation. In June 2012, the global SMART programme presented a situation report on ATS in West Africa,[9] which warned of an increase in their trafficking, manufacture and use. In the Accra declaration, annexed to Commission on Narcotic Drugs resolution 56/2, Governments were encouraged to review the training, equipment and preparedness of their law enforcement authorities to be able to respond to the threat posed by ATS and their illicit manufacture and the competent national authorities of States participating in meetings of the Heads of National Drug Law Enforcement Agencies, Africa, were urged to share information on the ATS phenomenon with UNODC through, inter alia, its global SMART programme.

75. UNODC efforts to enhance the analytical capacity of drug analysis laboratories to meet internationally accepted standards included developing and making available new manuals and guidelines on procedural approaches, methods for forensic analysis and laboratory best practices. The significant increase in the number of national drug testing laboratories participating in the international collaborative exercises, an important part of the UNODC international quality assurance programme, demonstrates the increased awareness of benefits of the programme and the need for such support to assure the quality of test results. This was achieved through collaboration with regional laboratory networks and the execution of regional programmes with a drug analysis component.

VIII. Governance and financial situation of the United Nations Office on Drugs and Crime

76. The updated strategy for the period 2012-2015 for the United Nations Office on Drugs and Crime was developed in consultation with Member States at meetings of the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC. The strategy provides the overarching political vision for UNODC and is implemented through the strategic frameworks for 2012-2013 and 2014-2015. UNODC is engaged in efforts to institutionalize results-based management and continues to engage with all stakeholders in discussions on the post-2015 development framework with a view to highlighting the links between development, justice and security and to creating a shared technical understanding of issues related to monitoring those areas.

77. UNODC engages in technical cooperation pursuant to its integrated programming approach, comprising thematic and regional programmes, which provide a normative, policy and operational framework for thematic priorities and reflect regional priorities and strategies. The regional programmes, complemented by country programmes in selected locations, are developed in close consultation with and endorsed by regional entities and partner countries.[10] Those programmes

[9] Available from www.unodc.org/documents/scientific/ATS_West_Africa_final_2012.pdf.

[10] Seven regional programmes are in place: for East Africa; West Africa; the Arab States; Central America; South-East Asia and Pacific; South-Eastern Europe; and Afghanistan and neighbouring

facilitate collaboration with the United Nations Development Group regional teams, the United Nations country teams and related United Nations Development Assistance Frameworks, thus providing opportunities for joint programming between UNODC and its partners.

78. In its technical assistance work, UNODC continued joining forces and strengthening coordination with other agencies and organizations. The Office cooperated with the Office of the United Nations High Commissioner for Human Rights (OHCHR) to mainstream human rights into its programmes and activities, in line with its internal guidance note on the promotion and protection of human rights, and to implement the human rights due diligence policy on United Nations support to non-United Nations security forces. In its capacity as co-chair of the United Nations system task force on transnational organized crime and drug trafficking as threats to security and stability, UNODC advanced the implementation of system-wide initiatives aimed at ensuring comprehensive and holistic responses.

79. UNODC made major progress in establishing an office-wide evaluation culture. Its Independent Evaluation Unit completed four in-depth evaluations of strategic importance to Member States and UNODC in relation to the integrated programming approach, in addition to the backstopping of 48 project evaluations and 21 participatory self-evaluations. Further progress included training of staff on evaluation management; recruitment of an Evaluation Officer in Kabul; and the development of all key evaluation normative tools, a website, a tool for participatory self-evaluations, a database of international evaluation consultants, and an evaluation portal and tracking system of evaluation recommendations, which is soon to be finalized.

80. The financial situation of UNODC remained vulnerable. Less than 1 per cent of the regular budget of the United Nations is allocated to the Office. Pursuant to General Assembly resolution 65/233, the Secretary-General submitted proposals in his proposed programme budget for 2012-2013 to ensure that UNODC would have sufficient resources. As a result, the Assembly approved a small increase of $1.7 million under section 16 of the regular budget, from $39.2 million in the biennium 2010-2011 to $40.9 million in the biennium 2012-2013. The consolidated budget for the biennium 2012-2013 for UNODC, as revised, is $617.8 million, of which 13.6 per cent comes from regular budget funds (and includes regular budget resources under sections 1, 16, 23 and 29F of the proposed programme budget for the biennium 2012-2013) and $533.7 million from extrabudgetary resources. Moreover, low levels of non-earmarked or soft-earmarked funding represent key challenges to the effective implementation of UNODC mandates and programmes and put a strain on management, coordination and normative functions.

countries. Three additional regional programmes will start in 2013 (for Southern Africa, South Asia and the Caribbean).

IX. Assessing progress made in the implementation by Member States of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem

81. As reflected in the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, Member States decided that the Commission on Narcotic Drugs, at its fifty-seventh session, in 2014, should conduct a high-level review of the implementation by Member States of the Political Declaration and its Plan of Action.

82. In its resolution 67/193, the General Assembly decided to convene, early in 2016, a special session of the Assembly on the world drug problem, which would review the progress in the implementation of the Political Declaration and Plan of Action, including an assessment of the achievements and challenges in countering the world drug problem, within the framework of the three international drug control conventions and other relevant United Nations instruments. The Secretary-General welcomes this discussion as it is clear that we are facing great challenges and several Member States have expressed an interest in having a renewed debate over how to best address the world drug problem. This provides an opportunity for Member States to exchange ideas and experiences on what has, and has not worked in the fight against drugs and crime and engage in an open and comprehensive discussion on this important issue.

83. At its fifty-sixth session, the Commission on Narcotic Drugs adopted resolution 56/12, entitled "Preparations for the high-level review of the implementation by Member States of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem". In that resolution the Commission decided that the high-level review should be held during its fifty-seventh session, for a period of two days, in addition to the five days usually scheduled for the regular sessions of the Commission, and that it should consist of a general debate on progress achieved and challenges in implementing the Political Declaration and Plan of Action and round-table discussions on the three pillars of the Plan of Action.

84. In the same resolution, the Commission resolved that a brief joint ministerial statement should be issued at the conclusion of the high-level review, identifying, on the basis of the review of the progress made in the implementation by Member States of the Political Declaration and Plan of Action, achievements, challenges and priorities for further action, in the framework of the three international drug control conventions and other relevant United Nations instruments.

85. The Commission also resolved that the outcome of the high-level review should be submitted to the General Assembly for its consideration, in view of, inter alia, the special session of the Assembly on the world drug problem to be held in 2016.

86. Also in its resolution 56/12, the Commission recommended to the Assembly that the Commission, as the central policymaking body within the United Nations system dealing with drug-related matters, play its leading role in the preparatory process for the special session of the Assembly on the world drug problem to be convened in early 2016, including by presenting its proposals, through the

Economic and Social Council, regarding progress made in the implementation of the Political Declaration and Plan of Action.

87. The General Assembly is expected to define the envisaged outcome of the special session on the world drug problem, including the format and content of that outcome.

88. The Assembly is also expected to further specify preparations for the special session, particularly with regard to the role that the Commission on Narcotic Drugs is envisaged to play in those preparations. The Assembly may decide that the Commission is to be established as a preparatory body for the special session, as was the case for the special session of the General Assembly on the world drug problem held in 1998.

X. Recommendations

89. **It is recommended that the General Assembly consider taking the following actions:**

(a) Urge Member States that have not yet done so to adhere to the drug control conventions, and urge all States to fully implement all the provisions of the conventions, including with regard to effective regulatory controls and provision of information, in accordance with the conventions and the relevant resolutions of the Commission on Narcotic Drugs, the Economic and Social Council and the General Assembly;

(b) Urge Member States to take, in a timely manner, the measures necessary to implement the actions and attain the goals and targets set out in the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted by the General Assembly at its sixty-fourth session;

(c) Encourage Member States to give special consideration to the linkages between international drug control and development, especially in the context of preparations for the post-2015 development agenda;

(d) Urge Member States to continue to actively cooperate with the International Narcotics Control Board in the exercise of its mandate and to ensure that an appropriate level of resources is made available to the Board to enable it to engage with Governments to effectively monitor compliance by States with the drug control conventions;

Demand reduction and related measures

(e) Urge Member States to renew their efforts to increase the coverage of interventions to prevent drug use and to increase access to services for the treatment, care and rehabilitation of people suffering from drug dependence that are based on scientific evidence, gender-responsiveness, human rights and the dignity of the patients;

(f) Request UNODC, taking into consideration the *International Standards on Drug Use Prevention* and the efforts made with WHO in the framework of the joint programme on drug dependence treatment and care, to

continue gathering information on national and international experiences and best practices on drug prevention, treatment, care and rehabilitation, to make available information on activities and instruments based on scientific evidence and to provide States with guidance and assistance in developing strategies and programmes to incorporate those successful experiences;

(g) Invite Member States to ensure that adequate access to HIV prevention, treatment and care for people who use drugs, in particular people who inject drugs, includes providing the nine core interventions contained in the *WHO, UNODC, UNAIDS Technical Guide for Countries to Set Targets for Universal Access to HIV Prevention, Treatment and Care for Injecting Drug Users: 2012 Revision* as appropriate, without stigma or discrimination and while ensuring gender equality;

(h) Invite Member States to ensure that adequate access to HIV prevention, treatment and care for people in prisons and other closed settings includes providing the 15 core interventions outlined in the UNODC, ILO, UNDP, WHO and UNAIDS policy brief "HIV prevention, treatment and care in prisons and other closed settings: a comprehensive package of interventions" as appropriate, without stigma or discrimination and while ensuring gender equality;

Supply reduction and related measures

(i) Encourage Member States to review their national legislation to ensure that drug law enforcement authorities are empowered to deal with new challenges presented by pre-precursor substances, non-controlled licit chemicals and the emergence of new psychoactive substances that are sourced by drug traffickers;

(j) Call upon Member States to encourage their law enforcement authorities and prosecutorial services to cooperate with their counterparts in foreign jurisdictions in order to investigate, arrest and prosecute transnational criminal organizations, including drug trafficking networks;

(k) Call upon Member States to enhance drug law enforcement capabilities in order to carry out forensic analysis of seized drugs and precursor chemicals to support the successful investigation and prosecution of those persons responsible for their trafficking;

(l) Encourage Member States to design alternative development programmes in line with the International Guiding Principles on Alternative Development to ensure that both a reduction in illicit crop cultivation and an improvement in social and economic conditions in target areas are achieved;

(m) Encourage Member States to facilitate market access for products stemming from alternative development to contribute to long-term legitimate income generation for small farming communities;

Countering money-laundering and promoting judicial cooperation

(n) Request Member States to fully implement and enforce legal and regulatory frameworks to prevent money-laundering and illicit financial flows and to confiscate and recover illicit assets, in compliance with United Nations conventions and internationally accepted standards;

(o) Request Member States to ensure sufficient domestic legislative frameworks to criminalize the laundering of money derived from drug trafficking, precursor diversion and other serious crimes of a transnational nature;

(p) Request Member States to strengthen financial and regulatory regimes for banks and non-bank financial institutions, and for designated non-financial business and professional entities;

(q) Request Member States to implement effective detection, investigation, prosecution and conviction measures for money-laundering and related crimes;

(r) Invite Member States to promote effective cooperation in strategies for countering money-laundering and in conducting money-laundering cases by strengthening mechanisms for domestic inter-agency coordination and information-sharing as well as regional and international networks for the exchange of operational information among competent authorities, in particular financial intelligence units;

(s) Encourage Member States to make use of the tools to combat money-laundering and the financing of terrorism developed by UNODC, such as the model laws and IMoLIN;

Data collection and research

(t) Reiterate that the information available on illicit drug trends from many subregions and countries remains incomplete and is therefore insufficient for providing a sound base for analysis, supporting evidence-informed policy development or measuring the progress made in addressing the world drug situation;

(u) Urge Member States to report data and information related to illicit drug trends through mandated data-collection tools, the annual report questionnaire and the individual drug seizure reports, regularly and in a timely manner to UNODC;

(v) Invite the Commission on Narcotics Drugs to strengthen the capacity of UNODC to collect, analyse and disseminate accurate, reliable, objective and comparable data through mandated data-collection tools and other regional and international mechanisms, and for UNODC to reflect such information in the reports to the Commission and in the *World Drug Report*;

(w) Request UNODC to support Member States that lack the capacity to collect accurate, reliable and comparable data and information on illicit drug production, trafficking and use, with a view to increasing their capacity to provide information through mandated data-collection tools, and urge Member States to support UNODC in this work;

(x) Request UNODC to continue to assist Member States in the collection of information and monitoring of emerging trends in the composition, production and distribution of new psychoactive substances, as well as patterns of use of those substances, and to encourage Member States to share relevant data and information with regard to patterns of use, risks to public health, forensic data and the regulation of new psychoactive substances;

(y) Encourage UNODC to continue to support the work of drug-testing and forensic laboratories and their efforts to implement best-practice procedures and standardized approaches, and to assist them in monitoring their performance on a global scale, thus facilitating the exchange of forensic information and data worldwide;

Governance and financial situation of the United Nations Office on Drugs and Crime

(z) Encourage Member States to continue to actively participate in the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC;

(aa) Urge Member States to continue to support the work of the Independent Evaluation Unit;

(bb) Urge Member States to address, as a matter of urgency, the need to provide UNODC with adequate, predictable and stable resources, including additional regular budget resources, to enable it to implement its mandated work in a sustainable manner, and to provide UNODC the necessary voluntary contributions, preferably non-earmarked or soft-earmarked, to enable the Office to effectively respond to the increasing demand for technical assistance and to expand and consolidate its technical cooperation with regional bodies and partner countries worldwide;

Preparations for the special session of the General Assembly on the world drug problem to be held in 2016

(cc) Encourage Member States to actively participate in the Commission on Narcotic Drugs high-level review of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, to be held in 2014;

(dd) Decide that the Commission on Narcotic Drugs, as the central policymaking body within the United Nations system dealing with drug-related matters, play its leading role in the preparatory process for the special session of the General Assembly on the world drug problem to be held in 2016, including by presenting its proposals, through the Economic and Social Council, regarding progress made in the implementation of the Political Declaration and Plan of Action;

(ee) Define the content and format of the envisaged outcome of the special session on the world drug problem and further clarify the preparatory work to be undertaken by the Commission on Narcotic Drugs;

(ff) Invite Governments to make extrabudgetary contributions available to UNODC to meet costs related to the special session on the world drug problem.

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Item 108 of the preliminary list*
Crime prevention and criminal justice

Implementation of the mandates of the United Nations crime prevention and criminal justice programme, with particular reference to the technical cooperation activities of the United Nations Office on Drugs and Crime

Report of the Secretary-General

Summary

The present report has been prepared pursuant to General Assembly resolutions 64/293, 67/186, 67/189, 67/190 and 67/192. It summarizes the activities of the United Nations Office on Drugs and Crime to support Member States in their efforts to counter transnational organized crime, corruption and terrorism, as well as to prevent crime and reinforce criminal justice systems, thus strengthening the rule of law. The report also refers to developments relating to the governance and financial situation of the Office. It includes information on the status of ratifications or accessions to the United Nations Convention against Transnational Organized Crime and the Protocols thereto and the United Nations Convention against Corruption, as well as emerging policy issues, responses thereto and recommendations aimed at enhancing the United Nations crime prevention and criminal justice programme.

* A/68/50.

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I. Introduction

1. The advancement of the rule of law is essential for sustainable economic and social development. Individuals and societies can realize their full development potential when they are free from fear and violence and have access to responsive institutions and rules that are enforced in a predictable and transparent manner. The United Nations Office on Drugs and Crime (UNODC) therefore supports joint efforts to promote justice, security and the rule of law as an important aspect of the global development agenda.[1] In implementing the mandates of the United Nations crime prevention and criminal justice programme, UNODC addresses threats that undermine the rule of law and hinder sustainable development and the enjoyment of human rights.

2. The present report provides an overview of efforts undertaken by UNODC, as requested by the Assembly in its resolution 67/189, including with respect to different areas of combating transnational organized crime, crime prevention and criminal justice reform, the application of relevant standards and norms, and data collection. It also provides an overview of measures taken to strengthen the rule of law, pursuant to Assembly resolution 67/186. In line with Assembly resolution 67/192, it includes a section on preventing and combating corrupt practices and the transfer of proceeds of corruption, facilitating asset recovery and returning assets to legitimate owners, in particular to countries of origin, in accordance with the United Nations Convention against Corruption. The report also provides information on progress made in improving the coordination of efforts against trafficking in persons, pursuant to Assembly resolution 67/190, and in the implementation by the United Nations system of the United Nations Global Plan of Action to Combat Trafficking in Persons, adopted by the Assembly in its resolution 64/293. Emerging policy issues and possible responses thereto are described, as are developments concerning the governance and financial situation of the Office.

II. Action taken by the Commission on Crime Prevention and Criminal Justice

3. The Commission on Crime Prevention and Criminal Justice held its twenty-second session on 7 December 2012 and from 22 to 26 April 2013. In its thematic discussion, the Commission considered the challenge posed by emerging forms of crime that have a significant impact on the environment and ways to deal with it effectively.

4. Seven of the 23 proposals approved by the Commission at its twenty-second session are recommended for adoption by the Assembly at its sixty-eighth session, including a draft resolution on the rule of law, crime prevention and criminal justice in the United Nations development agenda beyond 2015 (E/2013/30, chap. I.A, draft resolution IV).

[1] See also the report of the High-level Panel of Eminent Persons on the Post-2015 Development Agenda, *A New Global Partnership: Eradicate Poverty and Transform Economies through Sustainable Development* (New York, 2013), available at www.post2015hlp.org/the-report/.

5. The Commission, in its role as preparatory body for the quinquennial United Nations congresses on crime prevention and criminal justice, approved a draft resolution for adoption by the Assembly on preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, which will be held in Doha from 12 to 19 April 2015 (ibid., draft resolution I).[2]

6. Two draft resolutions recommended for adoption by the Assembly are aimed at enhancing United Nations standards and norms in crime prevention and criminal justice, in particular the Standard Minimum Rules for the Treatment of Prisoners (ibid., draft resolution VI) and the model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice (ibid., draft resolution V). Other draft resolutions focus on crime prevention and criminal justice responses to protect cultural property (ibid., draft resolution II) and on technical assistance for implementing the international conventions and protocols related to counter-terrorism (ibid., draft resolution III). In one draft resolution, action against gender-related killing of women and girls is identified as a new priority for the international community (ibid., draft resolution VII).

III. Enhancing international cooperation and responses to transnational organized crime

A. Transnational organized crime

7. During the reporting period, 8 States ratified or acceded to the United Nations Convention against Transnational Organized Crime (bringing the total number of parties to 176), 7 States ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (bringing the total number of parties to 155), 6 States ratified the Protocol against the Smuggling of Migrants by Land, Sea and Air (bringing the total number of parties to 136) and 10 States ratified the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (bringing the total number of parties to 101).

8. The Conference of the Parties to the United Nations Convention against Transnational Organized Crime was unable to adopt a mechanism to review the implementation of the Convention and the Protocols thereto at its sixth session, held in October 2012.[3] The Conference, in its resolution 6/1, and the General Assembly, in its resolution 67/189, underlined the need for the urgent adoption of such a mechanism and urged States parties to continue to be actively engaged in that endeavour, on the basis of the work already accomplished by the open-ended intergovernmental working group on the review of the implementation of the Convention and the Protocols thereto. In its resolution 22/3, the Commission on Crime Prevention and Criminal Justice reiterated the need for the establishment of a transparent, efficient, non-intrusive, inclusive and impartial mechanism to review the Convention and the Protocols thereto, aimed at assisting States parties in the full

[2] See also A/68/128.

[3] A note by the Secretary-General transmitting to the General Assembly the report of the Conference on its sixth session will be issued.

and effective application of those instruments, and invited Member States to continue the dialogue regarding the establishment of such a mechanism, particularly in view of the holding of the seventh session of the Conference in 2014.

9. UNODC provided technical assistance to facilitate ratification and implementation of the Organized Crime Convention and the Protocols thereto, including through the provision of legal advice, capacity-building, training and tools. UNODC developed three manuals on international cooperation in criminal matters,[4] the *Model Legislative Provisions against Organized Crime*,[5] a knowledge management portal on transnational organized crime and the *Digest of Organized Crime Cases: A Compilation of Cases with Commentaries and Lessons Learned*.[6] The *Digest* was prepared in cooperation with the Governments of Colombia and Italy and the International Criminal Police Organization (INTERPOL). It gathers experience and good practices from law enforcement, prosecution and judicial services from various countries. Working with experts from Member States, UNODC also started revising its *Counter-Kidnapping Manual*, published in 2006, to reflect advances in procedures and practices.

10. In several regions, UNODC successfully promoted cooperation between judicial and law enforcement authorities. The Office organized expert meetings aimed at establishing regional mechanisms of cooperation among prosecutors and national competent authorities in West Africa and the Gulf countries. It also supported existing networks, such as the Network of Prosecutors against Organized Crime in Central America and the judicial platform of the Sahel countries and the judicial platform for Indian Ocean Commission members, as well as regional law enforcement coordination bodies such as the Central Asian Regional Information and Coordination Centre, the Gulf Criminal Intelligence Centre to Combat Drugs, the joint planning cell of Afghanistan, Iran (Islamic Republic of) and Pakistan, and the Southeast European Law Enforcement Center.

11. In order to leverage the combined strengths of those networks, a "network of networks" is being considered to link them together and act as a force multiplier in the fight against illicit trafficking. UNODC will coordinate an inter-agency meeting in 2013 to explore this option together with the European Police Office, INTERPOL, Organization for Security and Cooperation in Europe (OSCE), the World Customs Organization (WCO) and other international partner organizations. The meeting will examine the mandates and priorities of the various agencies, explore options for collaboration and technical assistance and seek to identify opportunities for coordinated operational activities.

12. UNODC and INTERPOL strengthened their collaboration in the area of organized crime by jointly developing specialized tools and coordinating training activities, with a view to achieving synergies through joint delivery and information exchange, including through the INTERPOL Illicit Arms Records and Tracing Management System.

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[4] Available at www.unodc.org/unodc/en/organized-crime/tools-and-publications.html#Manuals_Handoooks_Best_Practices.

[5] Available at www.unodc.org/documents/organized-crime/Publications/Model_Legislative_Provisions_UNTOC_Ebook.pdf.

[6] Available at www.unodc.org/documents/organized-crime/EnglishDigest_Final301012_30102012.pdf.

13. UNODC also provided technical assistance through its Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism. The Office helped by addressing the interlinkages between money-laundering and serious organized crime and by providing legal, regulatory, institutional and operational assistance to Member States, aimed at building the capacity of law enforcement and prosecuting agencies to analyse, investigate and prosecute money-laundering and related financial crimes, to prevent and suppress cash smuggling and to identify and confiscate the proceeds of crime.

14. UNODC continued its long-term assistance in the development of viable regimes to counter money-laundering and financing of terrorism in nine subregions and 43 countries, through the delivery of 43 training sessions and two international conferences, in partnership with other agencies and organizations, where possible, as well as two substantive legal reviews. The Office trained more than 1,300 representatives from law enforcement agencies, financial intelligence units, judicial authorities and reporting entities. It also promoted cooperation among financial intelligence units, including under its regional programme for Afghanistan and neighbouring countries.

B. Countering trafficking in persons and smuggling of migrants

15. Throughout 2012 and 2013, UNODC reached 50 countries through technical assistance activities addressing trafficking in persons and smuggling of migrants, providing assistance at the national level to 20 countries and supporting 10 interregional and regional responses. Capacity-building has continued to be a key component of the assistance provided. In 2012, police, border guards, prosecutors, judges, legislative drafters and civil society received specialized training in such countries as Benin, Burundi, Cameroon, Cape Verde, Colombia, Ghana, Guatemala, Guinea, India, Kazakhstan, Kenya, Kyrgyzstan, Tajikistan, Togo and Uzbekistan.

16. In addition to direct technical assistance, UNODC disseminated its core tools and publications to national and international practitioners and through its field office network in over 50 countries. UNODC also continued enhancing the human trafficking case law database and initiated work regarding the links between smuggling of migrants and corruption.

17. UNODC produced new publications aimed at strengthening the criminal justice response, including the *Assessment Guide to the Criminal Justice Response to the Smuggling of Migrants*,[7] which provides an inventory of measures for assessing the legislative, investigative, prosecutorial, judicial and administrative responses to the smuggling of migrants by land, air and sea, for deterring and combating such crime and for integrating the information and experience gained from such assessment into successful national, regional and international strategies.

[7] Available at www.unodc.org/documents/human-trafficking/Migrant-Smuggling/UNODC_2012_Assessment_Guide_to_the_Criminal_Justice_Response_to_the_Smuggling_of_Migrants-EN.pdf.

18. UNODC also developed an issue paper on the key concept of "abuse of a position of vulnerability",[8] drawing on interviews with practitioners in 12 countries and using input from an expert group meeting held in Vienna in June 2012. In its resolution 6/1, the Conference of the Parties requested UNODC to continue producing technical papers on key concepts of the Trafficking in Persons Protocol.

Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons

19. On the basis of the Global Plan of Action to Combat Trafficking in Persons, UNODC released the first *Global Report on Trafficking in Persons* in December 2012. The data collection for the 2014 *Global Report* started in May 2013 with a request to Member States to submit information by 1 October 2013.

20. The Inter-Agency Coordination Group against Trafficking in Persons continued to promote coherence in the efforts of the United Nations system to respond to trafficking in persons. The Group committed itself to the publication of five policy papers examining issues identified as critical challenges in the fight against trafficking in persons in the coming decade. The first paper, entitled "International legal frameworks concerning trafficking in persons",[9] was issued in October 2012.

21. The United Nations system agencies and other relevant international organizations also supported the implementation of the Global Plan of Action in their individual capacities. The International Labour Organization (ILO) published a new global estimate of 20.9 million victims in forced labour in 2012, and its Governing Body placed forced labour on the agenda of the International Labour Conference in 2014. The International Organization for Migration (IOM) has implemented 882 anti-human trafficking projects in 94 countries since 1995, which included the provision of direct assistance in 6,394 cases involving victims of 89 different nationalities in 2012 alone. The Office of the United Nations High Commissioner for Human Rights (OHCHR) continued to provide technical assistance to Member States on the application of the rights-based approach to addressing human trafficking. Progress was also made in implementing the Global Initiative to Fight Human Trafficking.

22. UNODC continued to manage the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, and urged Member States to provide support. Grants had been provided to 11 grass-roots organizations directly assisting victims of trafficking in persons.

C. Measures against trafficking in firearms

23. UNODC supported several countries in West Africa and South America in strengthening their firearms control regimes and provided technical support for marking of and record-keeping on firearms. It also promoted regional cooperation

[8] Available at www.unodc.org/documents/human-trafficking/2012/UNODC_2012_Issue_Paper_-_Abuse_of_a_Position_of_Vulnerability.pdf.

[9] Available at www.ungift.org/doc/knowledgehub/resource-centre/ICAT/ICAT_Policy_Paper_1_The_International_Legal_Instruments.pdf.

and information exchange in cooperation with the Common Market of the South Working Group on Firearms. In 2012, two regional seminars were held, in Argentina and Senegal, to promote legislative harmonization of the domestic legal framework and support the implementation of the international and regional instruments on firearms. UNODC provided tailored legislative assistance and advice to those countries for the analysis of their laws and the development of specialized legislation, in order to strengthen the legal and regulatory framework on firearms.

24. UNODC developed a "Ratification kit"[10] to assist Member States in their efforts towards ratification of, or accession to, the Firearms Protocol. It is preparing a comprehensive training curriculum on firearms control to support the delivery of specialized capacity-building activities in the areas of investigation and prosecution of firearms-related criminality and links to transnational organized crime.

25. Pursuant to resolutions 5/4 and 6/2 of the Conference of the Parties to the Organized Crime Convention, UNODC is developing a global study on the transnational routes and modi operandi used in firearms trafficking, its links to other cross-border trafficking flows and possible connections to organized crime and terrorism. The study will be based on information provided by States and is aimed at designing, in cooperation with interested States, effective crime prevention and criminal justice responses to counter trafficking in firearms.

D. Curbing corruption

1. Ratification and implementation of the United Nations Convention against Corruption

26. As at 24 May 2013, there were 140 signatories and 166 parties to the United Nations Convention against Corruption.

27. The Mechanism for the Review of Implementation of the Convention was launched in 2010. In the first year, 27 countries were under review, in the second year 41 countries and in the third year 35 countries. The fourth year started in May 2013; 62 countries were under review. A total of 38 country reviews were finalized, while a number of others were in the final stages. The Implementation Review Group held its third session in Vienna from 18 to 22 June 2012 and its resumed third session in Vienna from 14 to 16 November 2012. Its fourth session was held in Vienna from 27 to 31 May 2013. For the period 2010-2011, voluntary contributions were received from Australia, Austria, Brazil, Canada, France, Germany, Mexico, the Netherlands, Norway, Qatar, the Russian Federation, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the United Nations Development Programme (UNDP). For the period 2012-2013, voluntary contributions have been received from Australia, France, Mexico, Morocco, Norway, Sweden and the United States. In-kind contributions have also been provided by Benin, Portugal, the Russian Federation and the United Arab Emirates.

[10] Available at www.unodc.org/documents/organized-crime/Firearms/12-56168_Firearm_booklet_ebook.pdf.

28. The fifth session of the Conference of the States Parties to the United Nations Convention against Corruption is scheduled to be held in Panama from 24 to 28 November 2013.

29. The open-ended intergovernmental working groups established by the Conference continued to advise and assist it on prevention and asset recovery (Working Group on the Prevention of Corruption: third meeting held in Vienna from 27 to 29 August 2012 and fourth meeting to be held in Vienna from 26 to 28 August 2013; Working Group on Asset Recovery: sixth meeting held in Vienna on 30 and 31 August 2012 and seventh meeting to be held in Vienna on 29 and 30 August 2013). Pursuant to resolution 4/2 of the Conference, the meeting of experts to enhance international cooperation under the Convention was convened in Vienna on 22 and 23 October 2012.

30. UNODC provided expertise and technical assistance, in line with the Convention against Corruption and in preparation for and follow-up to the country reviews, to more than 40 countries, including through its field-based regional anti-corruption advisers. UNODC continued to provide support to countries undertaking surveys and studies on corruption and integrity, including on corruption affecting the business sector. Such activities respond to the need expressed by an increasing number of countries to assess their experience of corruption and other challenges to integrity through solid methodologies based on empirical evidence.

31. In partnership with UNDP and the United Nations System Staff College, UNODC has developed a training programme for United Nations agencies on the incorporation of anti-corruption activities into the United Nations Development Assistance Framework (UNDAF). The Anti-Corruption Academic Initiative, led by UNODC, developed an online menu of anti-corruption topics. In cooperation with the International Olympic Committee, UNODC is in the process of finalizing a global overview of legislative approaches to match-fixing and illegal and irregular betting.

32. UNODC participated as an observer in the Group of Twenty (G-20) Anti-Corruption Working Group and became a member of the Business-20 (B-20) Task Force on Improving Transparency and Anti-Corruption. Three projects were being implemented with funding from the Siemens Integrity Initiative, focusing on strengthening public and private partnerships in preventing and addressing corruption in public procurement and in legal incentives for corporate integrity. With support from the Russian Federation and in cooperation with the Organization for Economic Cooperation and Development (OECD) and the World Bank, a practical handbook for businesses and a study on good practices for preventing corruption in the organization of major public events were developed. UNODC and the United Nations Global Compact continued work on the tenth principle of the Global Compact and the Convention against Corruption.

2. Preventing and combating corrupt practices and the transfer of proceeds of corruption, facilitating asset recovery and returning assets to legitimate owners, in particular to countries of origin, in accordance with the Convention

33. The joint UNODC/World Bank Stolen Asset Recovery (StAR) Initiative continued to develop knowledge products. A systematic collection of asset recovery cases, an expanded version of the UNODC Mutual Legal Assistance Request Writer

Tool and a study on settlements and their impact on asset recovery were being finalized.

34. One hundred and two States parties had notified the Secretariat about their central authorities for mutual legal assistance. Networks of practitioners included the Global Focal Point Initiative on Asset Recovery, supported by the StAR Initiative and INTERPOL, and regional networks such as the Asset Recovery Inter-Agency Network of Southern Africa, supported by UNODC, and the Asset Recovery Network established by the countries of the Financial Action Task Force of South America against Money-Laundering, supported by the StAR Initiative.

35. The StAR Initiative supported the first Arab Forum on Asset Recovery, held in Doha from 11 to 13 September 2012 and co-organized by Qatar and the United States presidency of the Group of Eight (G-8). The event was held in the context of the Deauville Partnership with Arab Countries in Transition, launched at the G-8 Summit in 2011, and the Deauville Action Plan on Asset Recovery, adopted in 2012, in which the StAR Initiative is identified as a key partner. The workplan developed as a follow-up to the Arab Forum outlined three special sessions on technical challenges: one to be held in Qatar from 2 to 4 April 2013, on domestic coordination and the asset recovery guides produced by the G-8 countries and Switzerland; another to be held in Sharm el-Sheikh, Egypt, from 11 to 13 June 2013, on financial investigations in support of asset recovery; and a third to be held in September 2013, on the role of civil society in asset recovery. The second Arab Forum on Asset Recovery was scheduled to be held in October 2013.

36. The StAR Initiative has provided case-specific preparatory assistance and is currently working with 28 countries. A visible success of this engagement was the recent return to Tunisia of $28.8 million from Lebanon, through a concerted effort of the two Governments, the StAR Initiative and the regional UNODC Special Advocate on Stolen Asset Recovery.

E. Countering terrorism

37. UNODC, through its Terrorism Prevention Branch, continued to assist Member States in strengthening their national criminal justice systems to prevent and counter terrorism. The Office actively promoted the universalization of the 18 international legal instruments against terrorism. In this regard, considerable progress has been made, resulting in 27 new ratifications in the reporting period. UNODC provided legal assistance to Member States to bring national counter-terrorism legislation into line with relevant international standards. It provided training for 2,100 national criminal justice officials in 84 Member States, through national, regional and international capacity-building workshops devoted to strengthening their ability to implement such counter-terrorism legislation.

38. UNODC strengthened its counter-terrorism technical assistance programmes, including those for Afghanistan, Colombia, Nigeria, Yemen, North Africa, the Sahel and South-East Asia. A strengthened network of field-based terrorism prevention experts enabled UNODC to work more closely with local officials in designing and implementing national and regional activities.

39. To respond to the increasingly complex nature of terrorism, UNODC provided national criminal justice officials with specialized expertise in areas of terrorism prevention such as the use of the Internet for terrorist purposes, victims of terrorism, chemical, biological, radiological and nuclear terrorism, transport-related terrorism offences, financing of terrorism and international cooperation in criminal matters.

40. UNODC developed a technical assistance tool to strengthen the capacity of criminal justice officials to investigate and prosecute cases involving the use of the Internet for terrorist purposes,[11] used in the UNODC workshops for criminal justice officials in India, Mexico and Morocco.

41. UNODC also worked with Member States to strengthen their legislation and policies aimed at supporting and protecting victims of terrorism. In April 2013, UNODC organized a photographic exhibition and a panel discussion on victims of acts of terrorism at the margins of the twenty-second session of the Commission on Crime Prevention and Criminal Justice. UNODC is planning to compile best practices on victims of terrorism, including their role within the criminal justice framework.

42. UNODC assisted Member States with the ratification and implementation of the international legal instruments dealing with chemical, biological, radiological and nuclear terrorism. At the high-level meeting on countering nuclear terrorism, with a focus on strengthening the legal framework, held at United Nations Headquarters in New York on 28 September 2012, UNODC highlighted the importance of the universalization and implementation of the international legal instruments related to nuclear terrorism.

43. The transnational nature of terrorism makes it necessary to ensure effective international cooperation in criminal matters and the designation of central authorities. UNODC supported the judicial platform of the Sahel countries, and in November 2012 it organized the third meeting of the platform, in Burkina Faso, to further consolidate the process started in 2010. UNODC also developed a regional network of prosecutors and designated representatives of central authorities of States members of the Economic Community of West African States and Mauritania. Together with the Ministry of Justice and Freedoms of Morocco and the Global Counterterrorism Forum, the Office organized a conference on regional cooperation in criminal matters in the Maghreb and the Sahel, in Casablanca, from 16 to 18 April 2013, which focused on challenges in the region and ways to strengthen such cooperation.

44. UNODC continued to cooperate and strengthen synergies with other United Nations entities in its counter-terrorism work. The Office participated in activities and on-site visits of the Counter-Terrorism Committee of the Security Council and its Executive Directorate, in addition to developing several joint technical assistance projects. A three-year joint project aimed at promoting the establishment of central authorities for international judicial cooperation in terrorism cases was officially launched at a meeting in Cartagena de Indias, Colombia, held from 19 to 21 February 2013. Participants discussed challenges and exchange of good practices for the establishment and efficient operation of central authorities. UNODC also contributed to the work of the Counter-Terrorism Implementation Task Force by

[11] Available at www.unodc.org/documents/frontpage/Use_of_Internet_for_Terrorist_Purposes.pdf.

participating in its several thematic working groups and inter-agency coordination activities.

45. In implementing these activities, UNODC focused on reinforcing the efforts of national Governments to respect the rule of law and human rights while preventing and combating terrorism. UNODC is also developing a module on human rights in criminal justice responses to terrorism as part of its counter-terrorism legal training curriculum.

F. International cooperation in the forensic field

46. UNODC continued to support the establishment and sustainability of forensic science networks in different geographical regions, encouraging their collaboration and promoting the work of national forensic science laboratories under the framework of the International Forensic Strategic Alliance. This included collaboration towards the development and promotion of minimum-practice requirements that guarantee an acceptable level of quality and interoperability of forensic science services worldwide. Key elements in increasing awareness and enhancing capacity in security document examination were the implementation of the standardized training programme in Latin America and the development of e-learning modules for worldwide use in the prevention of identity-related crimes.

IV. Strengthening the rule of law

47. Pursuant to General Assembly resolution 67/186, UNODC continued to promote the rule of law through its thematic and regional programmes. In implementing its 2011-2013 thematic programme of action against transnational organized crime, UNODC supported a United Nations system-wide response to organized crime by strengthening criminal justice institutions and assisted Member States in strengthening legal frameworks to effectively prosecute organized crime, including trafficking in persons and smuggling of migrants, in line with the rule of law. The UNODC regional programmes for East Africa and for East Asia and the Pacific also focus explicitly on the promotion of the rule of law and a coherent engagement of the United Nations system. Rule of law considerations are mainstreamed into all UNODC programmes and activities at both the field and headquarters levels.

48. UNODC is an active member of the Rule of Law Coordination and Resource Group of the Secretariat, which aims to ensure effective and coherent United Nations rule of law efforts in line with the aspirations of national and international partners. Within that Group, UNODC contributed to the development and implementation of a unified rule of law training programme for United Nations field staff. The Office also contributed to the substantive preparation of the first high-level meeting of the Assembly on the rule of law at the national and international levels, held on 24 September 2012.

49. UNODC is currently exploring with the Office of Legal Affairs and OHCHR ways and means to strengthen the promotion of and respect for rule of law at the international level.

V. Preventing crime and strengthening criminal justice systems

50. UNODC assists Member States in applying the United Nations standards and norms in crime prevention and criminal justice[12] under its thematic programme on crime prevention and criminal justice. The programme includes a portfolio of 43 projects in 40 countries worldwide. UNODC assists Member States in developing effective crime prevention strategies and policies and in building the capacity of their criminal justice systems to operate more fairly and effectively within the framework of the rule of law, with particular attention to women and children, as well as victims and witnesses of crime. In the reporting period, significant progress was achieved in various areas, particularly crime prevention, prison reform, prevention of violence against women, legal aid and justice for children.

51. To support its technical assistance delivery, UNODC developed a Criminal Justice Handbook Series, together with other tools such as training curricula and model laws.[13] During the reporting period, UNODC developed a guidance note on mainstreaming crime prevention in the work of the Office, the *Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders*, the *Training Manual on Policing Urban Space*, the *Handbook on the International Transfer of Sentenced Persons* and, in collaboration with the United Nations Children's Fund (UNICEF), an online training package on the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.[14]

52. UNODC provides technical assistance in partnership with a wide variety of international and local governmental and non-governmental organizations. It does so either on an ad hoc basis or as a member of coordination mechanisms such as the Rule of Law Coordination and Resource Group, the United Nations Action against Sexual Violence in Conflict, the Inter-Agency Network on Women and Gender Equality, the Global Forum on Law, Justice and Development and the Interagency Panel on Juvenile Justice.

A. Africa

53. In Kenya, UNODC supported the 2011-2013 police reform programme and carried out a study on alternatives to imprisonment and social reintegration of offenders. In Somalia, the Office participated in an assessment of the prison system in south central Somalia. In Somaliland, it presented its criminal justice programme to local authorities. In Ethiopia, it developed a national integrated programme, with implementation to start in 2013. In South Sudan, it has been supporting a prison reform programme since 2007 and is developing a juvenile justice project.

54. UNODC implemented projects on prison reform and on justice administration in Guinea-Bissau. In Cape Verde, UNODC and UNICEF developed a technical assistance programme to enhance the juvenile justice system, on the basis of a needs assessment endorsed by the Government. In Mauritania, it supported a crime

[12] The *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice* is available at www.unodc.org/unodc/en/justice-and-prison-reform/compendium.html.

[13] See www.unodc.org/unodc/en/justice-and-prison-reform/tools.html.

[14] See www.unodc.org/justice-child-victims.

prevention and rule of law capacity-building programme aimed at preventing inter-community tensions. In Nigeria, UNODC launched a comprehensive justice sector programme for 2013-2016 that will improve mechanisms for accountability and civil society engagement with justice institutions, thereby enhancing respect for human rights and public trust.

55. UNODC continued to implement projects in South Africa and other countries of the Southern African Development Community covering victim protection and empowerment and prevention of violence against women and children.

B. Asia

56. In Viet Nam, UNODC implemented an anti-domestic violence project and assessed the situation of women in the criminal justice system. In Indonesia, it implemented a judicial integrity and capacity project. In Timor-Leste, it provided support to the juvenile justice system.

57. In South Asia, UNODC developed its 2013-2015 regional programme, together with the Governments of Bangladesh, Bhutan, India, Maldives, Nepal and Sri Lanka, with a subprogramme on promoting efficient, fair and humane criminal justice systems.

58. In Afghanistan, UNODC trained judges and prosecutors on various topics and assisted the Government in revising the penal code and in reforming the prison and juvenile justice systems. The Office also assisted Pakistan in the areas of law enforcement, police-prosecutor cooperation and prison reform. In the Islamic Republic of Iran, UNODC provided technical assistance on national legislation reform.

59. In Kyrgyzstan, UNODC provided technical assistance to support prison reform. The Office supported Uzbekistan in, among others, the area of pretrial detention.

C. Latin America and the Caribbean

60. In Colombia, UNODC supported local safety audits and contributed to protecting vulnerable groups, especially women, internally displaced persons, and children and youth. UNODC also started a juvenile justice capacity-building project with the non-governmental organization Terre des Hommes fédération internationale. In Ecuador and Peru, UNODC assisted judges by compiling jurisprudence on juvenile justice. In Bolivia (Plurinational State of), UNODC promoted the implementation of the new law on the judiciary, assisted in reforming the criminal procedure code and the juvenile criminal justice bill and promoted restorative justice, rehabilitation of offenders and community policing. In Brazil, UNODC continued to work on crime prevention issues.

61. In Mexico, UNODC is active in the areas of crime prevention, police reform and juvenile justice. It implements a project on security and justice for media, as well as a project on conflict prevention and peacebuilding in communities with internally displaced persons. In Panama, UNODC continues to implement a prison reform project and assists in developing new initiatives for the prevention of

violence and crime. In El Salvador, UNODC conducted a second assessment of the prison system. In the Caribbean, the Office organized a workshop on prison reform and alternatives to imprisonment and a workshop on juvenile justice information management systems, with UNICEF and the Organisation of Eastern Caribbean States.

D. North Africa and the Middle East

62. In Egypt, UNODC developed projects focusing on long-term police and corrections reform and on juvenile justice. In Libya, the Office resumed criminal justice reform assistance, including in juvenile justice and prison matters. In Lebanon, it supported penal reform. Activities in the State of Palestine focused on prison reform. In Jordan, UNODC expanded its juvenile justice activities and assisted in prevention of violence and support for victims in a camp for Syrian refugees.

E. South-Eastern Europe

63. In Central and Eastern Europe and the Commonwealth of Independent States, UNODC and UNICEF promoted the use of the online training package on the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.

VI. Data collection, research and trend analysis

64. The first *Global Report on Trafficking in Persons*, based on data collected from 132 countries and issued in December 2012, analysed patterns and trends from 2007 to 2010.

65. UNODC, in consultation with Member States and partner organizations, continued to develop global and regional analyses of transnational organized crime threats to assist the international community in developing strategic responses. Transnational organized crime threat assessments were completed for Central America and the Caribbean, West Africa, and East Asia and the Pacific, focusing on trafficking flows, emerging challenges such as piracy in the Gulf of Guinea and related threats to governance and security. A similar assessment for East Africa will be finalized by mid-2013.

66. In order to address challenges in improving crime statistics, UNODC developed, jointly with the National Institute of Statistics and Geography of Mexico, a road map to improve the quality and availability of crime statistics at the national and international levels.[15] That document identified areas of work to strengthen methodological standards on crime statistics, to support countries' capacities and to improve international data on and analyses of crime. The road map was discussed and endorsed by the Statistical Commission at its forty-fourth session, in February and March 2013, and by the Commission on Crime Prevention and Criminal Justice at its twenty-second session, in April 2013. The Commission on Crime Prevention and Criminal Justice recommended for adoption

[15] See E/CN.3/2013/11.

by the Economic and Social Council a draft resolution supporting the activities presented in the road map and requesting UNODC to continue activities to improve statistical information on crime in accordance with the road map and to report to it and to the Statistical Commission regularly on those activities (E/2013/30, chap. I.B, draft resolution I).

67. During the last year, UNODC has made considerable progress in the development of the international classification of crimes for statistical purposes, an activity addressed in the above-mentioned road map. The international classification will be a major tool for improving the accuracy, consistency and comparability of statistics on crime and criminal justice systems. Standardized concepts and classification schemes will increase the analytical power of data on crime trends and patterns.

68. UNODC also continued to provide technical support to countries implementing surveys and studies on a number of crime issues, including on corruption, crime victimization, access to justice and accessibility of firearms. Evidence-based guidance was provided on how to better target crime prevention policies.

VII. Emerging policy issues

Piracy

69. UNODC continued supporting countries in the East Africa region, including Kenya, Mauritius, Seychelles and the United Republic of Tanzania, in the prosecution of suspected pirates and in ensuring that trials were effective, efficient and fair. The Office also supported Somali prisons under the piracy prisoner transfer programme. Further work will include capacity-building for the Somali Coast Guard and assistance to released piracy hostages. A maritime crime programme was developed to include other forms of crime occurring at sea, and extending support to West Africa and other regions. Work to counter illicit financial flows from piracy continues through support to regulate the money-remittance sector and to conduct financial investigations.

Cybercrime

70. Under the guidance of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime, UNODC prepared a draft comprehensive study in accordance with the methodology agreed at the group's first meeting. At its second meeting, in February 2013, the expert group took note of the study and requested the Commission on Crime Prevention and Criminal Justice to consider it further. In its resolution 22/7, the Commission expressed its appreciation for the work done thus far and requested the group to continue its work towards fulfilling its mandate. In its resolution 22/8, the Commission requested UNODC, in close cooperation with Member States, to advance the implementation of its Global Programme on Cybercrime, through which capacity-building and training were provided to judges, prosecutors and investigators.

Use of new information technologies to abuse and exploit children

71. As requested by the United Nations Economic and Social Council in its resolution 2011/33, UNODC will carry out a study facilitating the identification, description and evaluation of the effects of new information technologies on the abuse and exploitation of children, and design a training and technical assistance programme to assist Member States in combating such offences more effectively. UNODC envisaged the convening of an expert group meeting in autumn 2013 to advance the drafting of those materials and will present them to the Commission on Crime Prevention and Criminal Justice at its twenty-third session, in 2014.

Countering trafficking in cultural property

72. UNODC continued to consult with Member States on the development of specific guidelines on crime prevention and criminal justice responses with respect to trafficking in cultural property. The expert group on protection against trafficking in cultural property, at its second meeting, held in Vienna from 27 to 29 June 2012, reviewed the draft guidelines and the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property, and made recommendations to the Commission on Crime Prevention and Criminal Justice. UNODC continued to participate actively in the cooperative network with the United Nations Educational, Scientific and Cultural Organization, INTERPOL, the International Council of Museums, WCO and the International Institute for the Unification of Private Law.

Illicit financial flows

73. UNODC continued to deliver specialist mentoring and implement a range of technical assistance and capacity-building programmes to increase the ability of Member States to identify, investigate and interdict illicit financial flows linked to transnational organized crime. Through its Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism and its regional programmes, UNODC raised awareness regarding the problem of illicit financial flows originating from piracy and from Afghan opiates. The Office is working to address new developments in the illicit cross-border movement of precious metals, trade-based money-laundering and the use of the Internet for money-laundering purposes.

Environmental crime, including trafficking in endangered species of wild fauna and flora

74. As a member of the International Consortium on Combating Wildlife Crime, UNODC contributed to the implementation of several joint activities, including workshops and a ministerial round table at the sixteenth meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, in Bangkok in March 2013. UNODC also provided technical assistance to Bangladesh, Cambodia, Peru, Indonesia and Viet Nam. Relevant activities included support for implementing the *Wildlife and Forest Crime Analytic Toolkit*[16] and for border liaison mechanisms to foster international and regional inter-agency law enforcement cooperation, as well as capacity-building and training

[16] Available at www.unodc.org/documents/Wildlife/Toolkit_e.pdf.

on techniques for investigating the wildlife trade, illegal logging, the illegal timber trade and related corruption. UNODC mandates were recently strengthened in a resolution recommended by the Commission on Crime Prevention and Criminal Justice at its twenty-second session for adoption by the Council, entitled "Crime prevention and criminal justice responses to illicit trafficking in protected species of wild fauna and flora" (E/2013/30, chap. I.B, draft resolution IV).

Identity-related crime

75. With the support of UNODC, the core group of experts on identity-related crime, at its sixth meeting, in January 2013, agreed on an outline for model legislation on identity-related crime and a checklist of important elements in developing national strategies for the prevention, investigation, prosecution and punishment of identity-related crime. Further mandates in the area of identity-related crime are contained in a draft resolution rec .nmended by the Commission on Crime Prevention and Criminal Justice at its twenty-second session for adoption by the Economic and Social Council, entitled "International cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity-related crime" (ibid., draft resolution III).

VIII. Governance and financial situation of the United Nations Office on Drugs and Crime

76. The updated strategy for the period 2012-2015 for UNODC was developed in consultation with Member States at meetings of the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC. The strategy provides the overarching political vision for UNODC and is implemented through the strategic frameworks for 2012-2013 and 2014-2015. UNODC is engaged in efforts to institutionalize results based management and continues to engage with all stakeholders in discussions on the post-2015 development framework with a view to highlighting the links between development, justice and security and to creating a shared technical understanding of issues related to monitoring these areas.

77. UNODC engages in technical cooperation pursuant to its integrated programming approach, comprising of thematic and regional programmes, which provide a normative and policy framework for thematic priorities and reflect regional priorities and strategies. The regional programmes, complemented by country programmes in selected locations, are developed in close consultation with and endorsed by regional entities and partner countries.[17] Those programmes facilitate collaboration with the United Nations Development Group regional teams, the United Nations country teams and related United Nations Development Assistance Frameworks, thus providing opportunities for joint programming between UNODC and its partners.

[17] Seven regional programmes are in place: for East Africa; West Africa; the Arab States; Central America; South-East Asia and the Pacific; South-Eastern Europe; and Afghanistan and neighbouring countries. Three additional regional programmes will start in 2013, for Southern Africa, South Asia and the Caribbean.

78. In its normative and technical assistance work, UNODC continued joining forces and strengthening coordination with other agencies and organizations. The Office cooperated with OHCHR to mainstream human rights into its programmes and activities, in line with its internal guidance note on the promotion and protection of human rights, and to implement the human rights due diligence policy on United Nations support to non-United Nations security forces. In its capacity as co-chair of the United Nations system task force on transnational organized crime and drug trafficking as threats to security and stability, UNODC advanced the implementation of system-wide initiatives aimed at ensuring comprehensive and holistic responses.

79. UNODC made significant progress in establishing an office-wide evaluation culture. Its Independent Evaluation Unit completed four in-depth evaluations of strategic importance to Member States and UNODC, in relation to the integrated programming approach, in addition to the backstopping of 48 project evaluations and 21 participatory self-evaluations. Further progress included training of staff on evaluation management; recruitment of an evaluation officer in Kabul; and the development of all key evaluation normative tools, a website, a tool for participatory self-evaluations, a database of international evaluation consultants, and an evaluation portal and tracking system of evaluation recommendations, soon to be finalized.

80. The financial situation of UNODC remained vulnerable. Less than 1 per cent of the regular budget of the United Nations is allocated to the Office. Pursuant to General Assembly resolution 65/233, the Secretary-General submitted proposals in his proposed programme budget for 2012-2013 to ensure that UNODC would have sufficient resources. As a result, the Assembly approved a small increase of $1.7 million under section 16 of the regular budget, from $39.2 million in the biennium 2010-2011 to $40.9 million in the biennium 2012-2013. The UNODC consolidated budget for the biennium 2012-2013, as revised, is $617.8 million, of which 13.6 per cent comes from regular budget funds (and includes regular budget resources under sections 1, 16, 23 and 29F of the proposed programme budget for the biennium 2012-2013) and $533.7 million from extrabudgetary resources. Moreover, low levels of non-earmarked or soft-earmarked funding represent key challenges to an effective implementation of UNODC mandates and programmes and put a strain on management, coordination and normative functions.

IX. Recommendations

81. **It is recommended that the General Assembly consider taking the following actions:**

(a) Invite UNODC to continue to engage with Member States and other relevant stakeholders in promoting justice, security and the rule of law, within its mandates, including in the discussions on the post-2015 international development agenda;

Transnational organized crime

(b) Call upon Member States that have not yet done so to ratify the United Nations Convention against Transnational Organized Crime and the Protocols thereto;

(c) Invite Member States to implement the Organized Crime Convention and the Protocols thereto, taking into account the need to focus on concepts that represent the key challenges to legislative drafters, criminal justice practitioners and law enforcement, as well as relevant stakeholders;

(d) Invite Member States to establish and fully implement comprehensive legal and regulatory frameworks in compliance with United Nations conventions and internationally accepted standards to criminalize the laundering of money derived from transnational organized crime, strengthen financial regimes and enhance regulatory and reporting requirements;

(e) Invite Member States to implement effective detection, investigation, prosecution and conviction measures for money-laundering and related financial crimes;

(f) Invite Member States to engage in effective cooperation in countering money-laundering and in prosecuting money-laundering cases by strengthening mechanisms for domestic inter-agency coordination and information-sharing, and also by strengthening regional and international networks for the exchange of operational information among competent authorities, particularly financial intelligence units;

(g) Urge Member States to support the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, to ensure that it continues to benefit victims of trafficking in persons;

(h) Invite Member States to establish networks and other mechanisms to facilitate formal and informal cooperation, including through regional and interregional meetings and exchanges of experience among practitioners;

(i) Encourage Member States to address illicit firearms trafficking, taking into account the increasing links to other forms of organized crime, drug trafficking and terrorism;

Curbing corruption

(j) Encourage Member States that have not already done so to ratify or accede to the United Nations Convention against Corruption;

(k) Encourage States parties and signatories to the Convention against Corruption to make efforts towards its full implementation;

(l) Encourage Member States to afford each other the widest measure of cooperation and assistance for the return of assets;

Countering terrorism

(m) Encourage Member States to ratify and implement the 18 international legal instruments against terrorism;

(n) Request UNODC to continue to support Member States in strengthening the legal regime against terrorism and to continue the delivery of technical assistance, including the development of specialized expertise, to enhance related national capacities;

Cooperation in the forensic field

(o) Encourage Member States to continue to promote the collaboration of forensic science institutions worldwide in exchanging knowledge and expertise, through their active participation in regional forensic science networks;

(p) Request UNODC, in collaboration with Member States, to continue the development of standardized procedures and training programmes, including guidelines and best-practice manuals, and to support the work of national forensic science laboratories in strengthening their technical skills and capabilities to prevent and combat transnational organized crime;

Preventing crime and strengthening criminal justice systems

(q) Encourage Member States to continue to attach high priority to strengthening the rule of law through the prevention of crime and the promotion of fair, humane and accountable criminal justice systems;

(r) Encourage Member States to continue to update existing and elaborate new standards and norms in crime prevention and criminal justice;

(s) Encourage Member States to adopt and implement coherent crime prevention and criminal justice reform initiatives, based on the standards and norms in crime prevention and criminal justice and other international standards;

(t) Encourage Member States to continue supporting the work of UNODC in the area of crime prevention and criminal justice, as a cornerstone in the advancement of the rule of law and human rights and a prerequisite for fighting organized crime, corruption and terrorism;

Data collection, research and trend analysis

(u) Encourage the international community to further develop multilateral strategies against transnational organized criminal markets on the basis of global analyses and threat assessments;

(v) Invite Member States to contribute to the 2014 edition of the UNODC *Global Report on Trafficking in Persons* by responding to the UNODC questionnaire by the indicated deadline, and to support the associated research by allowing field research to be conducted in their countries;

Emerging policy issues

(w) Encourage Member States to support UNODC in strengthening its global programme of technical assistance in relation to cybercrime;

(x) Encourage Member States to support UNODC in its multi-agency approach to the delivery of technical assistance and capacity-building with the aim of preventing illicit trafficking in protected species of wild fauna and flora;

(y) Encourage Member States to address and raise awareness about the impact of environmental crime, including illicit trafficking in protected species of wild fauna and flora, and the threats it poses to national and economic security, human development and health, and to take immediate action to address the problem, including by reducing demand, building on the momentum and agreements reached at the international level;

(z) Encourage Member States to make illicit trafficking in protected species of wild fauna and flora a serious crime, as defined in the United Nations Convention on Transnational Organized Crime;

Governance and financial situation of the United Nations Office on Drugs and Crime

(aa) Encourage Member States to continue to actively participate in the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC;

(bb) Urge Member States to continue to support the work of the Independent Evaluation Unit;

(cc) Encourage Member States to address, as a matter of urgency, the need to provide UNODC with adequate, predictable and stable resources, including additional regular budget resources, to enable it to implement its mandated work in a sustainable manner, and to provide UNODC the necessary voluntary contributions, preferably non-earmarked or soft-earmarked, to enable the Office to effectively respond to the increasing demand for technical assistance and to expand and consolidate its technical cooperation with regional bodies and partner countries worldwide.

United Nations

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General Assembly

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Sixty-eighth session
Item 108 of the provisional agenda*
Crime prevention and criminal justice

Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

Report of the Secretary-General

Summary

The present report contains information on action taken to implement General Assembly resolution 67/184 of 20 December 2012, entitled "Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice". In particular, the report provides a brief overview of the deliberations at the twenty-second session of the Commission on Crime Prevention and Criminal Justice on issues pertaining to the preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and the outcome of those deliberations.

* A/68/50.

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1. In its resolution 67/184 of 20 December 2012, entitled "Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice", the General Assembly reiterated its invitation to Governments to take into consideration the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World[1] and the recommendations adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice when formulating legislation and policy directives and to make all efforts, where appropriate, to implement the principles contained therein, taking into account the economic, social, legal and cultural specificities of their respective States.

2. In the same resolution, the General Assembly noted the progress made thus far in the preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and decided that the duration of the Thirteenth Congress should not exceed eight days, including pre-Congress consultations. The Assembly also decided that the main theme of the Thirteenth Congress should be "Integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation". The Assembly further decided that, in accordance with its resolution 56/119 of 19 December 2001, the Thirteenth Congress should include a high-level segment in which States were invited to be represented at the highest possible level, for example, by Heads of State or Government, Government ministers or attorneys general, that representatives would be given an opportunity to make statements on the topics of the Congress, and that, in accordance with its resolution 56/119, the Thirteenth Congress should adopt a single declaration, to be submitted to the Commission on Crime Prevention and Criminal Justice for its consideration, and that the declaration should contain recommendations reflecting the deliberations of the high-level segment, the discussion of agenda items and the workshops.

3. Also in resolution 67/184, the General Assembly approved the provisional agenda for the Thirteenth Congress, finalized by the Commission at its twenty-first session, and decided that the following issues should be considered in workshops within the framework of the Thirteenth Congress:

(a) Role of the United Nations standards and norms in crime prevention and criminal justice in support of effective, fair, humane and accountable criminal justice systems: experiences and lessons learned in meeting the unique needs of women and children, in particular the treatment and social reintegration of offenders;

(b) Trafficking in persons and smuggling of migrants: successes and challenges in criminalization, in mutual legal assistance and in effective protection of witnesses and trafficking victims;

(c) Strengthening crime prevention and criminal justice responses to evolving forms of crime such as cybercrime and trafficking in cultural property, including lessons learned and international cooperation;

[1] General Assembly resolution 65/230, annex.

(d) Public contribution to crime prevention and raising awareness of criminal justice: experiences and lessons learned.

4. In addition, the General Assembly emphasized the importance of the above-mentioned workshops and invited Member States, intergovernmental and non-governmental organizations and other relevant entities to provide financial, organizational and technical support to the United Nations Office on Drugs and Crime (UNODC) and the institutes of the United Nations crime prevention and criminal justice programme network for the preparations for the workshops, including the preparation and circulation of relevant background material.

5. In the same resolution, the General Assembly requested the Secretary-General, in cooperation with the institutes of the United Nations crime prevention and criminal justice programme network, to prepare a discussion guide for the regional preparatory meetings for the Thirteenth Congress and for the Congress in a timely manner in order to enable those meetings to be held as early as possible in 2014, and invited Member States to be actively involved in that process.

6. The General Assembly also requested the Secretary-General to facilitate the organization of the regional preparatory meetings and to make available the necessary resources for the participation of the least developed countries in those meetings and in the Thirteenth Congress itself, in accordance with past practice and in consultation with Member States. The Assembly urged participants in the regional preparatory meetings to examine the substantive items on the agenda and the topics of the workshops of the Thirteenth Congress and to make action-oriented recommendations to serve as a basis for the draft recommendations and conclusions for consideration by the Congress.

7. Moreover, the General Assembly requested the Secretary-General to encourage the participation of representatives from relevant entities of the United Nations system in the Thirteenth Congress, bearing in mind the main theme, agenda items and workshop topics of the Congress, to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Thirteenth Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Congress. The Assembly encouraged Member States to actively participate in the above-mentioned meetings, as they provided an opportunity to develop and maintain strong partnerships with the private sector and civil society organizations.

8. The General Assembly also encouraged the relevant United Nations programmes, specialized agencies of the United Nations system and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with UNODC in the preparations for the Thirteenth Congress. The Assembly encouraged Governments to undertake preparations for the Thirteenth Congress at an early stage and by all appropriate means, including, where appropriate, the establishment of national preparatory committees.

9. The General Assembly further invited Member States to be represented at the Thirteenth Congress at the highest possible level, for example, by Heads of State or Government, Government ministers or attorneys general, to make statements on the theme and topics of the Congress and to participate actively in the high-level

segment. It called upon Member States to play an active role in the Thirteenth Congress by sending legal and policy experts, including practitioners with special training and practical experience in crime prevention and criminal justice.

10. The General Assembly requested the Commission to accord sufficient time at its twenty-second session to reviewing the progress made in the preparations for the Thirteenth Congress, to finalize in a timely manner all outstanding organizational and substantive arrangements and to make its recommendations to the Assembly through the Economic and Social Council.

11. At the twenty-second session of the Commission, delegations recognized the important role of the United Nations congresses on crime prevention and criminal justice in shaping international and domestic policies in the areas of crime prevention and criminal justice. Speakers welcomed the advanced level of preparations for the Thirteenth Congress, and particularly the early preparation of the draft discussion guide for the regional preparatory meetings and the Thirteenth Congress, which allowed Member States to offer feedback or comments before its finalization. It was further stressed that the Thirteenth Congress would help to integrate crime prevention and criminal justice into the wider United Nations agenda with a view to addressing social and economic challenges and promoting the rule of law at the national and international levels.

12. The observer for Qatar, which will serve as host to the Thirteenth Congress, informed the Commission about the domestic preparations for the organization of the event, including the establishment of a preparatory committee to achieve better coordination among the ministries involved. It was envisaged that a youth forum would take place concurrently with the Congress.

13. As a result of the deliberations at its twenty-second session, the Commission recommended to the Economic and Social Council the approval of a draft resolution for adoption by the General Assembly on "Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice". In that resolution, the Assembly would decide to hold the Thirteenth Congress in Doha from 12 to 19 April 2015, with pre-Congress consultations to be held on 11 April 2015. The Assembly would also decide that the high-level segment of the Thirteenth Congress should be held during the first two days of the Congress in order to allow Heads of State or Government and Government ministers to focus on the main theme of the Congress and to enhance the possibility of generating useful feedback.

14. The General Assembly would further decide that, in accordance with its resolution 56/119, the Thirteenth Congress should adopt a single declaration, to be submitted to the Commission for its consideration, and that the declaration should contain the major recommendations reflecting and emerging from the deliberations of the high-level segment, as well as the discussion of the agenda items and the workshops.

15. In addition, the General Assembly would request the Secretary-General to finalize, in a timely manner, the discussion guide for the regional preparatory meetings and for the Thirteenth Congress, the draft of which had been prepared in cooperation with the institutes of the United Nations crime prevention and criminal

justice programme network. In doing so, the Secretary-General should take into account the recommendations of the Commission, as well as additional comments and feedback from Member States, in order to enable the regional preparatory meetings for the Thirteenth Congress to be held as early as possible in 2014.[2]

16. The General Assembly would reiterate its request to the Secretary-General to proceed with the organization of the four regional preparatory meetings for the Thirteenth Congress and to make available the necessary resources for the participation of the least developed countries in those meetings and in the Congress itself, in accordance with past practice, as well as make a special effort to organize the regional preparatory meeting for European and other States so as to benefit from their inputs.[3]

17. Furthermore, the General Assembly would urge Governments to actively participate in the regional preparatory meetings, where appropriate, and invite their representatives to examine the substantive items on the agenda and the topics of the workshops of the Thirteenth Congress and to make action-oriented recommendations for consideration by the Thirteenth Congress. It would invite Governments to undertake preparations for the Thirteenth Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees.

18. The General Assembly would further reiterate its invitation to Member States to be represented at the Thirteenth Congress at the highest possible level, for example, by Heads of State or Government, Government ministers or attorneys general, to make statements on the theme and topics of the Congress, and to play an active role in the Thirteenth Congress by sending legal and policy experts, including practitioners with special training and practical experience in crime prevention and criminal justice.

19. Moreover, the General Assembly would request the Secretary-General to encourage the participation of representatives from relevant entities of the United Nations system in the Thirteenth Congress, bearing in mind the main theme, agenda items and workshop topics of the Congress, and invite donor countries to cooperate with developing countries to ensure their full participation in the workshops. The Assembly would encourage States, the institutes of the United Nations crime prevention and criminal justice programme network, other entities concerned and the Secretary-General to work together in order to ensure that the workshops were

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[2] It should be noted that, owing to the advanced level of preparations for the Thirteenth Congress, the Secretary-General, in cooperation with the institutes of the United Nations crime prevention and criminal justice programme network and in line with the mandate contained in the resolution of the General Assembly, will have finalized the discussion guide for the regional preparatory meetings and the Thirteenth Congress by the time that the relevant resolution will be considered by the General Assembly at its sixty-eighth session.

[3] After consultations with the United Nations regional commissions, preliminary arrangements have been made for the organization of four regional preparatory meetings for the Thirteenth Congress, as follows: (a) for the Asia and Pacific region, from 22 to 24 January 2014 at the Economic and Social Commission for Asia and the Pacific; (b) for the Western Asia region, from 5 to 7 February 2014 at the Economic and Social Commission for Western Asia; (c) for the Latin America and Caribbean region, from 19 to 21 February 2014 at the Economic Commission for Latin America and the Caribbean; and (d) for the Africa region, from 9 to 11 April 2014 at the Economic Commission for Africa.

well-focused and achieved practical results, leading to technical cooperation ideas, projects and documents for enhancing bilateral and multilateral technical assistance activities in crime prevention and criminal justice.

20. In addition, the General Assembly would reiterate its request to the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Thirteenth Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Congress. The Assembly would encourage Member States to actively participate in the above-mentioned meetings, as they would provide an opportunity to develop and maintain a strong partnership with the private sector and civil society organizations.

21. The General Assembly would request the Secretary-General to prepare a plan for the documentation for the Thirteenth Congress, in consultation with the extended bureau of the Commission; to appoint a Secretary-General and an Executive Secretary of the Thirteenth Congress, in accordance with past practice, to perform their functions under the rules of procedure for United Nations congresses on crime prevention and criminal justice; to ensure, in collaboration with Member States, a wide and effective programme of public information relating to the preparations for the Thirteenth Congress, to the Congress itself and to the follow-up to and implementation of its recommendations; and to provide UNODC with the necessary resources, from within the overall appropriations of the programme budget for the biennium 2014-2015, to support the preparations for and holding of the Thirteenth Congress.

22. The General Assembly would again encourage the relevant specialized agencies and programmes of the United Nations and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with UNODC in the preparations for the Thirteenth Congress.

23. Finally, the General Assembly would request the Commission to accord sufficient time at its twenty-third session to reviewing the progress made in the preparations for the Thirteenth Congress, to finalize in a timely manner all outstanding organizational and substantive arrangements and to make its recommendations to the Assembly through the Economic and Social Council. It would request the Secretary-General to ensure proper follow-up to the resolution and to report thereon to the Assembly through the Commission at its twenty-third session.

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General Assembly

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Sixty-eighth session
Item 141 of the preliminary list*
Human resources management

Amendments to the Staff Regulations and Rules

Report of the Secretary-General

Summary

Consistent with staff regulations 12.1 and 12.3, the present report contains the full text of amendments to existing regulations that the Secretary-General proposes to implement as at 1 January 2014, as well as the new rules and amendments to existing rules that the Secretary-General either promulgated provisionally during 2013 or proposes to implement as at 1 January 2014. The report also provides the rationale for those amendments.

The Secretary-General recommends that the General Assembly approve the amendments to the Staff Regulations and that it take note of the amendments to the Staff Rules set out in the annexes to the present report.

* A/68/50.

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1. Staff regulation 12.1 provides that the present Regulations may be supplemented or amended by the General Assembly, without prejudice to the acquired rights of staff members.

2. Staff regulation 12.3 provides that the full text of provisional staff rules and amendments shall be reported annually to the General Assembly.

3. Pursuant to staff regulation 12.4, the proposed amendments contained in the annexes to the present report will take effect on 1 January 2014. The proposed amendments to subparagraphs (f) and (g) of staff rule 7.6, which the Secretary-General promulgated provisionally in order to promptly implement the decision of the General Assembly contained in its resolution 67/254 on the standards of accommodation for air travel, would enter into full force and effect on 1 January 2014, subject to any modifications or deletions that may be directed by the General Assembly.

Regulations

4. In regulation 3.3, subparagraph (f) (i) has been amended to clarify the conditions under which the Organization reimburses staff members who are subject to national income taxation in respect of salaries and emoluments paid to them by the Organization.

5. Regulation 9.2 has been amended to reflect the decision of the General Assembly in its resolution 67/257 on the mandatory age of separation for staff members appointed on or after 1 January 2014.

Rules

6. In rule 1.2, Basic rights and obligations of staff, a new subparagraph (e) has been introduced to reflect the provisions of the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13). The other paragraphs of this rule have been renumbered.

7. In rule 4.15, Senior Review Group and central review bodies, subparagraph (e) has been amended and a new subparagraph (f) has been introduced to reflect that the rules of procedures shall be published and amended by the Secretary-General, and subsequent subparagraphs have been renumbered. Subparagraph (g) has been amended to align its wording with the language used.

8. In rule 4.18, Reinstatement, subparagraph (a) has been amended to clarify that it is the Secretary-General who determines whether it would be in the interest of the Organization to reinstate a staff member.

9. In rule 5.3, Special leave, subparagraph (f) has been amended to account for situations in which the Secretary-General would, at his or her own initiative, place a staff member on special leave with partial pay or without pay if he or she considers such leave to be in the interest of the Organization, for example in the case of arrest or detention of a staff member.

10. In rule 6.2, Sick leave, a subparagraph (l) has been introduced to address the issue of who bears the financial responsibility for the cost of hiring an independent

practitioner or a medical board when reviewing a decision refusing to grant sick leave that has been challenged by a staff member.

11. In rule 6.3, Maternity and paternity leave, subparagraph (a) (i) has been amended to reflect the current practice whereby the pre-delivery leave period is normally granted for two weeks.

12. In rule 7.6, Mode, dates, route and standard of travel, subparagraphs (f) and (g) have been amended to reflect the decision of the General Assembly in its resolution 67/254 to modify the basis on which the standards of accommodation for air travel shall be determined.

13. In rule 9.9, Commutation of accrued annual leave, the cross-reference is amended to include staff rule 4.17 (c) in addition to staff rules 4.18 and 5.1 as the conditions of re-employment would have an impact on the potential commutation of accrued annual leave under the new appointment.

14. In rule 10.2, Disciplinary measures, subparagraph (b) (iii) has been amended to allow for administrative leave to be granted on partial pay, and a new subparagraph (c) has been introduced to clarify the existing requirement to give staff members an opportunity to provide comments prior to the imposition of a reprimand.

15. In rule 10.3, Due process in the disciplinary process, subparagraph (a) has been amended to clarify the process.

16. In rule 10.4, Administrative leave pending investigation and the disciplinary process, subparagraphs (a), (c) and (d) have been amended to clarify the conditions under which a staff member may be placed on administrative leave.

The Secretary-General recommends that the General Assembly approve the proposed amendments to the Staff Regulations and that it take note of the amendments to the Staff Rules set out in the annexes to the present report.

Annex I

Text of amendments to the Staff Regulations

Regulation 3.3

(f) Where a staff member is subject both to staff assessment under this plan and to national income taxation in respect of the salaries and emoluments paid to him or her by the United Nations, the Secretary-General is authorized to refund to him or her the amount of staff assessment collected from him or her provided that:

(i) The amount of such refund shall in no case exceed the amount of his or her income taxes paid and payable in respect of his or her United Nations income. **The amount of such refund shall not include tax credits applied to income taxes paid and payable in respect of his or her United Nations income;**

(ii) If the amount of such income taxes exceeds the amount of staff assessment, the Secretary-General may also pay to the staff member the amount of such excess;

(iii) Payments made in accordance with the provisions of the present regulation shall be charged to the Tax Equalization Fund;

(iv) A payment under the conditions prescribed in the three preceding subparagraphs is authorized in respect of dependency benefits and post adjustments, which are not subject to staff assessment but may be subject to national income taxation.

Regulation 9.2

Staff members shall not be retained in active service beyond the age of sixty years or, if appointed ~~on or after~~ **between** 1 January 1990 **and 31 December 2013**, beyond the age of 62 years **or, if appointed on or after 1 January 2014, beyond the age of 65 years.** The Secretary-General may, in the interest of the Organization, extend this age limit in exceptional cases.

Annex II

Text of amendments to the Staff Rules

Rule 1.2
Specific instances of prohibited conduct

(e) Sexual exploitation and abuse is prohibited. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally, except where a staff member is legally married to a person under the age of 18 but over the age of majority or consent in their country of citizenship. Mistaken belief in the age of a child is not a defense. Exchange of money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited. United Nations staff are obliged to create and maintain an environment that prevents sexual exploitation and sexual abuse.

(fe) Any form of discrimination or harassment, including sexual or gender harassment, as well as abuse in any form at the workplace or in connection with work, is prohibited.

(gf) Staff members shall not disrupt or otherwise interfere with any meeting or other official activity of the Organization, including activity in connection with the administration of justice system, nor shall staff members threaten, intimidate or otherwise engage in any conduct intended, directly or indirectly, to interfere with the ability of other staff members to discharge their official functions. Staff members shall not threaten, retaliate or attempt to retaliate against such individuals or against staff members exercising their rights and duties under the present Rules.

(hg) Staff members shall not intentionally misrepresent their functions, official title or the nature of their duties to Member States or to any entities or persons external to the United Nations.

(ih) Staff members shall not intentionally alter, destroy, falsify or misplace or render useless any official document, record or file entrusted to them by virtue of their functions, which document, record or file is intended to be kept as part of the records of the Organization.

(ji) Staff members shall not seek to influence Member States, principal or subsidiary organs of the United Nations or expert groups in order to obtain a change from a position or decision taken by the Secretary-General, including decisions relating to the financing of Secretariat programmes or units, or in order to secure support for improving their personal situation or the personal situation of other staff members or for blocking or reversing unfavourable decisions regarding their status or their colleagues' status.

(kj) Staff members shall neither offer nor promise any favour, gift, remuneration or any other personal benefit to another staff member or to any third party with a view to causing him or her to perform, fail to perform or delay the performance of any official act. Similarly, staff members shall neither seek nor accept any favour. gift, remuneration or any other personal benefit from another staff member or from any third party in exchange for performing, failing to perform or delaying the performance of any official act.

Rule 4.15
Central review bodies

(e) Each central review body shall elect its own chair. ~~and establish and publish its rules of procedures.~~

(f) The rules of procedures shall be established and published by the Secretary-General.

(g~~f~~) Executive heads of separately administered programmes, funds and subsidiary organs of the United Nations to whom the Secretary-General has delegated the authority to appoint, select and promote staff may establish advisory bodies to advise them in the case of staff members recruited specifically for service with those programmes, funds or subsidiary organs. The composition and functions of such advisory bodies shall be generally similar to those of the central review bodies established by the Secretary-General.

Functions of the central review bodies

(**h**g) The central review bodies shall advise the Secretary-General on all appointments of one year or longer, except in the following cases:

(i) Appointment of candidates having successfully passed a competitive examination, in accordance with staff rule 4.16;

(ii) Appointment at the entry level or promotion within the General Service and related categories of candidates having successfully passed an entrance test or examination, under conditions defined by the Secretary-General.

(~~i~~**h**) The central review bodies shall review the process for compliance with the pre-approved **evaluation** ~~selection~~ criteria and shall provide advice on the recommendations for the selection of candidates. Where such advice is not in line with that of the relevant manager, the Secretary-General shall give due consideration to the advice of the central review bodies and shall make the decision.

Rule 4.18
Reinstatement

(a) A former staff member who held a fixed-term or continuing appointment and who is re-employed under a fixed-term or a continuing appointment within 12 months of separation from service may be reinstated, **if the Secretary-General considers that such reinstatement would be in the interest of the Organization.** ~~in accordance with conditi•ns established by the Secretary-General.~~

Rule 5.3
Special leave

(f) In exceptional cases, the Secretary-General may, at his or her initiative, place a staff member on special leave with full **or partial** pay **or without pay** if he or she considers such leave to be in the interest of the Organization;

Rule 6.2
Review of decisions relating to sick leave

(l) The cost of an independent practitioner or a medical board mentioned in (j) and (k) above shall be borne by the Organization and by the staff member under conditions established by the Secretary-General.

Rule 6.3
Maternity and paternity leave

(a) Subject to conditions established by the Secretary-General, a staff member shall be entitled to maternity leave for a total period of 16 weeks:

(i) The pre-delivery leave shall commence **no earlier than** six weeks **and no later than two weeks** prior to the anticipated date of birth upon production of a certificate from a duly qualified medical practitioner or midwife indicating the anticipated date of birth. ~~The pre-delivery leave may be shortened to two weeks based on a certificate from a duly qualified medical practitioner or midwife indicating fitness to continue working.~~

Rule 7.6
Route of travel

(f) The normal route for all official travel shall be the most ~~direct and~~ economical route **available, provided that the total additional time of the whole journey does not exceed the most direct route by four hours or more**. An alternative route may be approved when the Secretary-General determines that it is in the best interest of the United Nations.

Standard of travel

(g) For all official travel by air, staff members and their eligible family members shall be provided with economy class transportation in accordance with the most ~~direct and~~ economical route **available subject to paragraph (f) above**.

Rule 9.9
Commutation of accrued annual leave

If, **upon** ~~on~~ separation from service, a staff member has accrued annual leave, he or she shall be paid a sum of money in commutation of the period of such accrued leave up to a maximum of 18 working days for staff holding a temporary appointment and up to a maximum of 60 working days for staff holding a fixed-term or continuing appointment in accordance with staff rules **4.17 (c),** 4.18 and 5.1. The payment shall be calculated:

(i) For staff in the Professional and higher categories, on the basis of the staff member's net base salary plus post adjustment;

(ii) For staff in the Field Service category, on the basis of the staff member's net base salary plus post adjustment;

(iii) For staff in the General Service and related categories, on the basis of the staff member's gross salary, including language allowance, if any, less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (iii) applied to the gross salary alone.

Rule 10.2
Disciplinary measures

(b) Measures other than those listed under staff rule 10.2 (a) shall not be considered to be disciplinary measures within the meaning of the present rule. These include, but are not limited to, the following administrative measures:

(i) Written or oral reprimand;

(ii) Recovery of monies owed to the Organization;

(iii) Administrative leave with **full or partial pay** or without pay pursuant to staff rule 10.4;

(c) A staff member shall be provided with the opportunity to comment on the facts and circumstances prior to the issuance of a written or oral reprimand pursuant to (b) (i) above.

Rule 10.3
Due process in the disciplinary process

(a) The Secretary-General may initiate the disciplinary process where the findings of an investigation indicate that misconduct may have occurred. ~~In such cases~~ **N**no disciplinary measure ~~or non-disciplinary measure except as provided under staff rule 10.2 (b) (iii),~~ may be imposed on a staff member following the completion of an investigation unless he or she has been notified, in writing, of the ~~charges~~ **formal allegations of misconduct** against him or her, and has been given the opportunity to respond to those ~~charges~~ **formal allegations**. The staff member shall also be informed of the right to seek the assistance of counsel in his or her defence through the Office of Staff Legal Assistance, or from outside counsel at his or her own expense.

Rule 10.4
Administrative leave pending investigation and the disciplinary process

(a) A staff member may be placed on administrative leave, subject to conditions specified by the Secretary-General, at any time **after a report of misconduct and** pending **the initiation of** an investigation. **Administrative leave may continue throughout an investigation and** until the completion of the disciplinary process.

(b) A staff member placed on administrative leave pursuant to paragraph (a) above shall be given a written statement of the reason(s) for such leave and of its probable duration, which, so far as practicable, should not exceed three months.

(c) Administrative leave shall be with full pay ~~unless~~ **except when the Secretary-General decides that** ~~in~~ **other** exceptional circumstances ~~the Secretary-General decides~~ **exist** ~~that~~ **which warrant the placement of a staff member on** administrative leave **with partial pay** or without pay. ~~is warranted.~~

(d) Placement on administrative leave shall be without prejudice to the rights of the staff member and shall not constitute a disciplinary measure. If administrative leave is without pay and either the allegations of misconduct are subsequently not sustained or it is subsequently found that the conduct at issue does not warrant dismissal **or separation**, any pay withheld shall be restored without delay.